

# Notes

## INTRODUCTION

1. Interview with James Farrer on February 9, 2010.

## 1. UNITED STATES

1. Adult trafficking victims are certified, and child trafficking victims receive eligibility letters. Persons certified or given eligibility letters by HHS are eligible for federal and state benefits and services.

2. Since her rescue, Bennu has become a ward of the Orange County Superior Court. She has decided not to return to Egypt and is living in foster care and going to school. Bennu and Eshe are not the girls' real names.

3. All defendants were associated with California-based labor recruiting company Global Horizons Manpower, Inc., and the recruiters that served the company in Thailand.

4. Interview with Lori J. Johnson on June 25, 2009.

5. This includes the 130 persons allegedly trafficked by Matt Redd of Louisiana Labor, LLC. A suit has not yet been filed against Redd or Louisiana Labor, LLC.

6. The other defendants in this case are Bianca Nikole Vierra (19 years old), Ryan Lia Rasmussen (29 years old), Deairick Dante Newsome (22 years old), and Mark Anthony Grayned (22 years old) (Villa & Collom, 2005a; Park, 2008).

7. Under the TVPA, severe forms of trafficking in persons include sex trafficking and trafficking for labor or services where there was the presence of

force, fraud, or coercion, except when the victim is a child (U.S. Department of State, 2000).

8. Interview with Alia El-Sawi on February 19, 2009.
9. Interview with Kavitha Sreeharsha on March 4, 2009.
10. Personal communication with Thom Mrozek, Public Affairs Officer, U.S. Department of Justice, Central District of California, on November 18, 2009.
11. Interview with Christa M. Stewart on March 18, 2009.
12. Interview with anonymous expert in April 2009.
13. Interview with Suzanne B. Seltzer on April 7, 2009.
14. Interview with Christa M. Stewart on March 18, 2009.
15. Interview with Suzanne B. Seltzer on April 7, 2009.
16. Signal allegedly trafficked 500–550 persons from India to the Gulf region after Hurricane Katrina. Victims each paid roughly \$20,000 to traffickers and their agents and thus entered a situation of debt bondage (David et al. v. Signal International, LLC et al., 2008; Cole, 2009).
17. Interview with Barry Nelson on September 25, 2009.
18. Ibid.
19. The Migration Policy Institute report included the arrest date from the inception of the Fugitive Operations Program in 2003 until early 2008 (Gorman, 2009c).
20. Interview with Caitlin Ryland on September 16, 2009, and correspondence on February 25, 2011.
21. Ryland says this may be changing. “Several law enforcement counterparts already involved in statewide anti-trafficking efforts have made great progress training their staff and reaching out to other law enforcement agencies throughout the state with trainings regarding trafficking and recognizing the red flags of trafficking when a victim does not self-identify right away.” Ryland notes that many agents have still not received this training.

## 2. JAPAN

1. Interview with James Farrer on December 21, 2009.
2. Interview with Michiko Yokoyama on December 28, 2009.
3. Interview with James Farrer on December 21, 2009.
4. Interview with Michiko Yokoyama on December 28, 2009.
5. Interview with James Farrer on December 21, 2009.
6. Interview with Michiko Yokoyama on December 28, 2009.
7. Interview with James Farrer on December 21, 2009.
8. The U.S. *Trafficking in Persons Report* comes out annually in June. For ease of reading, the reporting period is labeled as the year from which the majority

of data arose. For example, the TIP report released in June 2010 is labeled 2009.

9. Interview with Michiko Yokoyama on December 28, 2009.
10. Ibid.
11. Ibid.

### 3. UNITED ARAB EMIRATES

1. All the victims identified in 2005 and 2006 were trafficked for sexual exploitation (UNODC, 2009).

2. There is videotape evidence that appears to show royal family member Sheikh Issa bin Zayed al-Nahyan and the police beating, using electric cattle prods on, and driving over an Afghani man. Sheikh Issa bin Zayed al-Nahyan was acquitted in January 2010 of charges related to the abuse of the man (HRW, 2010a).

### 4. THAILAND

1. Interview with David A. Feingold on August 10, 2009.
2. This number may also include other persons in need—i.e., nontrafficking victims (UNODC, 2009).
3. To interview and provide legal and outreach services to migrants and Thai workers in the shrimp industry, the Solidarity Center partners with, among others, the Federation of Trade Unions–Burma, the Seafarers' Union of Burma, and the Labour Rights Promotion Network (Solidarity Center, 2008).
4. Interview with Lori J. Johnson on June 25, 2009.
5. Interview with Luigi Acquisto on March 4, 2009.
6. Interview with David A. Feingold on August 10, 2009.
7. Cabinet resolutions from December 18, 2008; May 26, 2009; July 28, 2009; and November 3, 2009.

### 5. ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

1. The B1 visa is not contingent on cooperation with law-enforcement officials (U.S. Department of State, 2010a).

## 6. COLOMBIA

1. While historically the FARC and ELN were identified as guerrilla groups, recently the terms *guerrilla* and *paramilitary* have been used interchangeably to describe them.

## 7. IRAQ

1. KBR separated from Halliburton in April 2007 (KBR, n.d.).

## 12. IRAN

1. One incorrect statistic repeatedly cited in newspaper articles throughout the past 10 years is that 10–15 percent of the prostitutes in Belgium, Italy, and the Netherlands are Iranian. While cited as the source of the statistic, the report *Research Based on Case Studies of Victims of Trafficking in Human Beings in 3 EU Member States, i.e., Belgium, Italy and the Netherlands* never makes this claim. It does discuss forced prostitution but does not discuss Iran in that context (Commission of the European Communities, 2001).

2. Under Article 90 of the new code, children and juveniles who are under the age of 18 but have reached the age of maturity (8 years and 9 months for girls; 14 years and 7 months for boys) but “do not understand the nature of the committed crime or its prohibition, or if there is a doubt about their mental development and perfection,” may be exempt from severe punishment or the death penalty and face correctional measures instead. The court can ask for the opinion of forensic medicine to determine the mental development of the child (Nayyeri, 2012).

3. Whether the Quran actually indicates that the testimony of two women equals that of one man is highly disputed (Roald, 2001).

## 13. INDIA

1. Interview with Patricia Aliperti on February 22, 2010.

2. Ibid.

3. Interview with Dan Werner on July 13, 2009.

4. Ibid.

5. Ibid.

6. Interview with Patricia Aliperti on February 22, 2010.

#### 14. NIGER

1. Interview with Alia El-Sawi on February 16, 2009.
2. Local attorneys received assistance and support from the International Centre for Legal Protection of Human Rights (INTERIGHTS), Anti-Slavery International, and Timidria.
3. Interview with Helen Duffy on November 28, 2009.
4. Ibid.

#### 15. CHINA

1. Interview with James Farrer on February 9, 2010.
2. Ibid.
3. Ibid.
4. The Action Plan to Crack Down on the Abduction and Trafficking in Women and Children (2008–2012) is part of the National Human Rights Action Plan of China (2009–2010).
5. Interview with James Farrer on February 9, 2010.

#### 16. SOUTH AFRICA

1. Patric Solomons, personal communication, April 22, 2010.
2. Interview with Carol Bews on April 22, 2010.
3. The number of Thai victims trafficked to South Africa may be decreasing. It seems that fewer Thai women are now being trafficked for forced prostitution in South Africa's illegal brothels (U.S. Department of State, 2010).
4. Nde Ndifonka, personal communication, April 22, 2010.
5. Media24 owns the Johannesburg newspaper *City Press*.
6. Nde Ndifonka, personal communication, April 22, 2010.
7. Interview with Carol Bews on April 22, 2010.
8. Nde Ndifonka, personal communication, April 22, 2010.
9. Interview with Carol Bews on April 22, 2010.
10. Ibid.
11. Nde Ndifonka, personal communication, April 22, 2010.
12. Interview with anonymous source in April 2010.
13. Nde Ndifonka, personal communication, April 22, 2010.
14. Ibid.
15. Interview with Carol Bews on April 22, 2010.
16. Ibid.

17. Ibid.

18. Nde Ndifonka, personal communication, April 22, 2010.

19. Interview with Carol Bews on April 22, 2010.

## 17. AUSTRALIA

1. In 2010 the Parliamentary Joint Committee on the Australian Crime Commission became the Parliamentary Joint Committee on Law Enforcement (Parliament of Australia, 2010b). The Department of Immigration, Multicultural and Indigenous Affairs became the Department of Immigration and Multicultural Affairs in 2006 and then the Department of Immigration and Citizenship in 2007 (Department of Immigration and Citizenship, 2012b).

2. Interview with Luigi Acquisto on March 4, 2009.

3. The debt-bondage offenses are included in Division 271 but are considered to be less serious than the trafficking-in-persons, sexual-servitude, and slavery offenses (Schloenhardt, 2009).

## 18. UNITED KINGDOM

1. Interview with Klara Skrivankova on February 20, 2009.

2. Ibid.

## 20. GERMANY

1. Interview with Heike Rabe of the German Institute for Human Rights (DIMR) on July 30, 2010.

2. Ibid.

3. Ibid.

4. Personal communication with Heike Rabe on October 12, 2012.

5. Interview with Heike Rabe on July 30, 2010.

6. Ibid.

## 22. MEXICO

1. The 2009 ABA report has been supplemented by an interview with Gretchen Kuhner on October 27, 2009.

2. Interview with anonymous source, November 2009.

3. Interview with Gretchen Kuhner on October 27, 2009.
4. Since this interview there have been some convictions of traffickers. But the numbers are minimal, making Kuhner's comment still relevant.
5. Interview with Gretchen Kuhner on October 27, 2009.
6. Ibid.
7. Ibid.
8. Ibid.

## 23. RUSSIA

1. In addition to Russia, member or participating CIS nations are Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Uzbekistan, and Ukraine (Embassy of the Russian Federation Thailand, 2010; CIS, 2011).

2. Under Article 242, offenders face imprisonment for up to 6 years (Government of Russia, 2003). Under Article 15 of the Criminal Code, medium-gravity offenses are deliberate offenses, for which maximum punishment does not exceed 5 years' imprisonment. Careless crimes have maximum sentences not to exceed 2 years' imprisonment. Grave crimes are defined as intentional acts for which the maximum penalty does not exceed 10 years' imprisonment (Government of Russia, 1996).

## 24. BRAZIL

1. A study conducted by Illinois University on plantations in several countries—including Brazil—indicates that sugarcane plantations have worsened global warming, while a study conducted by São Paulo University's Center for Nuclear Energy in Agriculture indicates that soils on sugarcane plantations remove carbon dioxide from the atmosphere (Gomes, 2010a).

## CONCLUSION

1. Interview with David A. Feingold on August 10, 2009.
2. Interview with James Farrer on December 21, 2009.





# References

## INTRODUCTION

- Belser, P. (2005). *Forced labor and human trafficking: Estimating the profits*. Geneva: ILO.
- ILO. (2006). *Forced labor statistics*. Retrieved February 17, 2011, from Cornell University ILR School: <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1019&context=forcedlabor>.
- . (2012). *ILO global estimate of forced labor: Results and methodology*. Geneva: ILO.
- OHCHR. (2009). UN expert on trafficking in persons ends visit to Poland. Press release, May 29. Retrieved June 2, 2010, from United Nations Office of the High Commissioner for Human Rights: [www2.ohchr.org/english/issues/trafficking/docs/PressReleaseVisitPoland.doc](http://www2.ohchr.org/english/issues/trafficking/docs/PressReleaseVisitPoland.doc).
- UNODC. (2004). *United Nations Convention Against Transnational Organized Crime and the protocols thereto*. New York: United Nations.
- UNTC. (2011). *United Nations Convention Against Transnational Organized Crime*. Retrieved August 24, 2011, from United Nations Treaty Collection: [http://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=XVIII-12&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-12&chapter=18&lang=en).

## 1. UNITED STATES

- Andert, S. (2007). The new slavery: Human trafficking flies below the radar of most people's consciousness, but it happens—even in New Orleans. *Gambit Weekly*, December 18, pp. 27–31.