

## A report on the visit of United States under International Visitors Leadership Program

The International Visitor Leadership program is the US Department of states' premier professional exchange program .Largely, launched in 1940, the IVLP is a professional exchange program that seeks to build mutual understanding between US and other nations of world through carefully designed short term visit to the USA for current and emerging foreign leaders. Importantly, these visits reflect the International Visitors professional interest and support the foreign policy goals of the United States. So, the visitors are current and emerging individuals in government, politics, the media, education, the Arts, business and other key field areas. Under the aegis of the program, the International Visitors travel to the US for the carefully designed programs that mirror their professional interests and US foreign policy goals and commitment. Accordingly, they travel in a variety of measurable and thematic programs The visit includes learning about US system of government at national, state and local levels and experience American social and culture and tremendous diversity of the US.



### Trafficking In Persons

Really, one of today's biggest human rights crises is the human trafficking of child and women. Human trafficking being the complex crime is the third largest criminal industry in the world ,outranked only by arms and drug dealing .The united nations estimates that trafficking in persons generates 7\$ to 10\$ billion annually for traffickers. The trafficking in children and women is global phenomenon affecting a large number of women and children Some estimates that as many as 1.2 million children being trafficked .Unfortunately, children and their families are not aware about the volume of the dangers as trafficking is defined as the lucrative and linked with the basket of criminal nexus at various degrees .As of now most society is plagued by the malady of trafficking making it today a 'Global Phenomenon.



India is source, Destination and transit country for human and children trafficked for the purposes of forced labor and commercial sexual exploitation. India is also a destination for

women and girls for Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation.

In this approach, I got the opportunity to be part of the IVLP to experience the US and World Wide policy initiatives to prevent Trafficking and to rescue, Rehabilitate and reintegrate victims of Trafficking; the aim of the program was to analyze the root causes of Trafficking and the crucial policies and practices needed to prevent its proliferation globally. This program created the large opportunity to examine best practices and cooperative efforts by law enforcement, Prosecution and public outreach Organization. So, during the visit it was emphasized to visit social service organization that assist victims of trafficking and observe the means by which they publicize their efforts.



### **Objective of the International Visitors Leadership Program**

- To understand and analyze the incidences of human trafficking as the ‘Global Phenomenon’ and its various micro and macro aspects.
- Exposure and exchange opinion pertaining to human trafficking beyond the national walls as well as intertwined impacts on the victims/survivors of trafficking.
- Exploring the ways to bridge the existing gaps in facilitating legal and recognized services in accordance with the possible way out based on sovereignty of the nations.
- Studying how the economic, geographical, social and cultural differences foster distinct deliverance of services merited on national priority to the victims and survivors of human trafficking.
- Creating voluntarily environment in the right consonance to combat the incidences of trafficking across the national borders and muster significant orchestrated efforts to aware the several civil quarters and administrative mechanism to prevent human trafficking.
- To Promote and strengthen the international networking to combat against the proliferation of human trafficking as well as role model for the best practices in India.
- To motivate unflagging and bi-lateral consensus over the issue of international human trafficking for appropriation of braced services to the victims/survivors of trafficking.

## August 21 to September 9

A six member team from India visited US for a three week program on human trafficking under the International Visitors Leadership Program. The team was accompanied by two translators for US consular staff in India and two English Language Officers from US Dept. of State. The team visited four sites – Washington DC, Louisville in Kentucky, Los Angeles, and Houston. The visit thus spanned across the country – East Coast, West Cost, Gulf of Mexico and the interior South. It met Federal Departments of State, Justice, and Labor in DC, Government task forces including police departments, and various civil society organization providing services to victims of trafficking.

The human trafficking as the term is defined nowadays refers to both – trafficking for sex work as well as trafficking for labor. Most places people said that for various reasons, it is sex trafficking that gets most of the attention. It gets more publicity in media, is already recognized as a crime, and is more ‘sexy’ as some said. Victims may comprise of local people as well as immigrants. It is not easy to get victims to adhesive approach the authorities as they may be earning a significant income and be under the control of traffickers. The cases that surface are again more for sex work.

However, nearly all agreed that incidence of labor trafficking is much more. All the three cities we visited after DC, reported significant incidence of labor trafficking.

**Kentucky:** Even though located in interior South, there were reports of significant labor trafficking. Trafficking was reported in a number of sectors both rural and urban. Kentucky is famous for tobacco farming and horses. Both the sectors reportedly employed significant immigrant labor, lots of it undocumented. A dinner was arranged in the honor of the visiting team hosted by Laurie Brown- Education consultation and Individual Instruction, Member association of Educational Therapist. This dinner created impressive opportunity for the visiting team to exchange cultural and social ventilations of the both countries India and US through the social visionary dominance of bi-lateral cultural conversant.



**Los Angeles** probably has seen maximum political mobilization of immigrants. The city has significant immigrant communities. We did not get to meet many politically active groups. But the visit to Thai community group was quite revealing. The Thai community has been able to carve out a niche right in the centre of the city, with an area being named Thai Town. We also came across live case studies of labor trafficking.

**Houston** came as a big surprise. We had been hearing stories about how Texas is a red state, a conservative bastion, famous for its cow boys, and how this big fence is coming up on the Mexico border. We were almost ready to believe that the cowboys have taken to shooting down

illegal Mexicans making the crossing. However we were told that Houston is considered to be a sanctuary for illegal immigrants. For the first time, we got good numbers – 300-350,000 undocumented persons in a city of two million i.e. almost 15-20 percent of the population. There is an immigrants’ department in the Mayor’s office. This office provides services to all immigrants whether they should be documented or undocumented. Houston has significant presence of ethnic communities from all over the world.



### **The Main features of the IVLP to USA**

- Magnificent exposure to the social and cultural multiplicity of USA as well as in depth exploration for interwoven humanitarian approach.
- Human trafficking was the highlighted and focused issue of the visit program to discourage human trafficking across the national borders.
- Excellent tour program to attain maximum interaction with the functionaries dedicated to the cause of human trafficking and visits to the identified places in the USA for substantial and gainful understanding over the several facets of human trafficking.
- Impressive involvement of the IVLP team members in various meetings organized by US Department of states for sensible knowledge over the issue of International trafficking.
- Significant and substantial views pertinent to scientific, social and cultural advancements of US constitute approach.

While sex trafficking was a constant everywhere, the table below gives main sectors that employed trafficked workers and the case work reported

**Table: Sectors employing trafficked workers and case work**

<i>Location</i>	<i>Sectors</i>	<i>Numbers</i>	<i>Problems</i>
Kentucky	Tobacco farms Horse farms Chicken factories Restaurants – Chinese buffet Domestic work	Three cases were mentioned	<ul style="list-style-type: none"> <li>• Nonpayment of wages</li> <li>• Payment of less than minimum wages</li> <li>• Illegal deductions</li> <li>• Debt bondage</li> </ul>
Los Angeles	Garment factories Restaurants Elderly care Domestic work	Seven cases totaling 400 Thai workers No cases in LA metropolitan area	
Houston	Restaurants Domestic work Cable installers	350,000 undocumented workers in city – Latin America, Asia, Europe There is a case every fortnight Some high profile cases -	

**Trafficking and illegal immigrants:** The issue of labor trafficking is intricately mixed up with issue of illegal immigration. While all illegal immigrants may not have been trafficked, the reverse is very likely to be true i.e. most trafficked persons are likely to be illegal immigrants. Therefore the victims avoid law enforcement agencies as they are likely to be deported once their cases come to light.

Domestic workers: Typical examples of labor trafficking cited everywhere related to domestic trafficking. The foreign nationals bring in domestic servants from their country those are not paid properly. The servants remain hidden from public eye. A typical case of how illegal immigrants are prone to exploitation was cited in Kentucky. An Indian illegal immigrant who was desperate for work was employed by a petrol pump owner. However, he would pay only \$7 per hour that was less than minimum wage. After three months, he reduced it to \$6/ hour. He further tried to reduce it to \$5 / hour at which point the immigrant had to leave the job as he found it difficult to sustain himself. It was said that in China, the going rate for entry into US can be upwards of \$ 50,000. The Thai workers who were brought in on tourist visas to work in LA garment factory paid \$ 20,000 each. ICE officials reported that international criminal gangs now undertaken the business of human trafficking as there are high profits.



**Support for victims:** We found a great degree of support for victims of labor trafficking amongst all the stakeholders we met – the law enforcement agencies, the service providers that include primarily civil society agents. There was considerable support for undocumented workers who were seen as victims who are forced to leave their place of residence because of lack of economic activity at home. To quote specific examples, the department for refugees in mayor’s office in Houston serves all immigrants whether they are legal or illegal. In California, there was news that children of illegal immigrants can avail of state scholarships. We learned that there are three states in the country, where proof of citizenship is not required for a driver’s license.

**The Legal Framework:** One obvious objective of the visit was to understand the legal and administrative framework set up in US to counter human trafficking. The issue of human trafficking has gained prominence over the last decade. The Federal Government passed a comprehensive Act in the year 2000. Some states have passed their own Acts. The enforcement is carried out by a host of agencies that include Department of Justice, Immigration and Customs Department, FBI, and local Police departments.



The enforcement wing is supported by service providers that include Non Government Organizations running shelters, providing legal services, and assisting the victims in their various needs. Human trafficking especially labor trafficking is associated with illegal immigration. Two special features of labor trafficking scenario in US are

- The cases are spread out over a number of states. This, therefore, necessitates involvement of Federal agencies. The coordination between multiple departments is normally ensured through Task Forces.
- The victims, who are likely to be illegal immigrants most of the time, will not approach the law enforcement. There arises therefore the need of civil society organizations/ NGOs those can approach the victims and bring the cases to light.

### **How has the action played out?**

It is clear that an extensive and impressive legal framework has been put in place. At the same time the numbers of case that have come up are very few compared to the incidence of human trafficking. As somebody said, it is only the tip of the iceberg. The cases that have come up can be counted on finger tips. The reason has to do with the fact that victims are unlikely to approach the law enforcement. There is also the fact that there is absence of baseline information on specific sectors. We were unable to access studies/reports that would give information on labor conditions. Apparently none exist. While, there is in existence a large number of service

providers, there are very few labor rights organizations in field. This coupled with the absence of Labor Department officials, ensures that few cases ever come up.



**What are the numbers?** While all agreed that labor trafficking is taking place in large number, there are almost no studies assessing the numbers involved. One DC based national organization gives the number as 16,000 persons trafficked every year. Another estimate that was given was that 6-800,000 persons enter US every year illegally. This is a little surprising. Considering the wide network of civil society agencies in place, it should not be impossible to get better numbers. There is urgent need of baseline studies that would give better figures for numbers employed in sectors where Multiple lessons can be taken back.

### Lessons for India

**Service delivery organizations:** There exist a large number of shelters for victims of human rights abuse of various types. We found shelters for victims of sexual violence, children and teenagers who have run away from homes, homeless women. All the shelters had very good infrastructure and were well run. We also found groups providing services to immigrants everywhere. There is potential for replication of these services in India where there is absolute lack of well run shelters. It is only now that a structure of support services for these sections of society is being put in place.



**The legal framework for human trafficking:** India does not have so far any act for trafficking for labor. It is true that there exist other laws that can be applied to trafficking cases. Most effective of these is the Bonded Labor Act that criminalizes debt bondage, declares the debt null and void, and ensures immediate relief to the victims. This Act has been used successfully by various civil rights organizations in India to get workers released. However, Governments are reluctant to use this fearing adverse publicity. The common mindset is also against loan amounts being set aside.

Therefore, there remains need for an act that will address human trafficking directly as the US Act does. With increasing imbalance in development, movement of workers across long distances is on the rise. The demand for cheap labor is pushing migration of children and adolescents. Thus, trafficking is on the rise. This will need to be drafted considering Indian

conditions. Best would be to study major streams where trafficking is taking place – child migration from tribal belts, recruitment of maids from South Bihar and Chhattisgarh, and so on and then come up with an Act that will be applicable to widest possible situations.

### **The Long Term Solution**

Most people when asked as to what is the solution to labor trafficking agreed that it is an economic need. The workers coming into America undocumented are only When asked as to what was the solution, a stakeholder in Houston said that unless there is economic progress in Mexico, people will continue to cross the borders.

### **Observations on American society (and the inevitable comparisons)**

**Comparison with India:** It is but natural for a foreign visitor to compare the state of things with home conditions. The obvious things that struck me were

**Taxes:** It was a novelty for us that all purchases we made came with a bill and with tax being charged. This was a novelty for us Indians as shopkeepers rarely give a bill in India. Neither do the customers ask for it. The only category of shops that is ever willing to provide a receipt in India are the stationery shops and here the owner will invariably ask as to what amount of bill you need.

Traffic violations were almost zero. Pedestrians have the right of way. There are no traffic inspectors on the site. This again is a far cry from conditions in India where there are traffic policemen everywhere, violations are the norm, and most violations end up with a bribe being paid. Accidents are frequent and a large number of deaths take place every year.

**Multi culturalism / adjustments across ethnic divides:** The multi culturalism that we saw being practiced all over America was really a big and happy surprise. We found that all parts of America have now diverse ethnic communities residing in seemingly peaceful coexistence. Probably this seemingly peaceful and happy coexistence is a result of selective exposure. We only went to selected areas and were well guided. Still what we saw was significant.

India is a collection of multiple ethnic communities – often with a distinct language and separate cultural traditions. It is a tough task to reach political agreement on shifting electoral representations from various states to the Lower House of Parliament (Lok Sabha) that is akin to the House of Representatives. While the electoral seats in the House have changed with changes in population (the weightage of West Coast going up), it has been impossible to adjust for changes in the Lok Sabha in India. The proportional representation from different states has had to be frozen to what it was two decades back.

**Inequity:** It is not as if all is good. The Afro American community continues to be at a significantly lower economic ladder. Most menial jobs are held by Afro Americans or recent foreign immigrants. There were reports of laborer being trafficked everywhere, workers not being paid minimum wages and sometimes not being paid wages at all. Even the capital city of DC seemed to have a resident mendicant at every corner. The areas populated by Afro American

community have bad schools, thus perpetuating the economic inequity. LA, we were told, had 40,000 homeless people.

**Grass root democracy:** We were bewildered when told that US has more than 10,000 police departments. This surely must lead to enormous problems in coordination. However, the utility of the system gradually dawned. The grass root devolution of power means freedom for individual communities. The example of Houston made me realize the true significance of democracy at grass roots. Till we reached Houston, we were perplexed by the multiplicity of governance structures. Even a village had its own police force. The logic defied us. However Houston showed the real strength of decentralized power. It is very much possible to have democratic bastions in an otherwise republican state (this off course means that the reverse will also be true!).

**Where are the republicans?** An interesting fact that we observed was that while the American polity is sharply divided between the two poles, we rarely got to hear the Republican view. Most people we met were of democratic persuasion. We were told that this often happens with other visitors as well. The sites we visit are mostly populated by people with democratic sympathies.

### The American approach

The American polity is going through a flux. One could say that this being the beginning of presidential election period, this flux happens every four years. However there are enough indications that the current recession may be qualitatively different from the previous ones that are part of the economic cycle. It is rise of China and fear of losing the economic leadership, even though American economy remains three times as large as the second largest one.

The first Indian Prime Minister Nehru notes in his book Glimpses of World History (the book that he wrote as letters from prison for his daughter) that various nations have been most advanced at various periods of time. Egyptians, Sumerians, Greeks, Romans, Persians, Arabs, Turks, Chinese, Indians, Mongols, Western Europeans – there have been times when each of these nation/ community could be said to have been most advanced in the world at that point of time. The 20<sup>th</sup> century is often described as the American century. The American era has to come to an end sometime. It was strange to find an American President alluding to Chinese Railroads and Railways as setting up benchmarks in progress, in his address to the Congress.

The American civilization remains unique in its ability to absorb various ethnic communities into the melting pot. No other nation has this capability and is likely to acquire this capability. It is by building upon this capability and ultimately transcending across the confined notion of a nation state that the next great leap is possible. Seeds of this are already present

*If we are to have peace on this earth, our loyalties must become ecumenical rather than sectional. Our loyalties must extend our race, our tribe, our class, and our nation. And this means we must develop a world perspective with holistic approach.*

These worlds are etched in stone in the latest memorial to come up on the memorial highway in DC. We found this sentiment at the most unlikely of places – the Mohammed Ali Centre at Louisville. Ali is shown visiting all corners of world where there is poverty and deprivation.

**The American approach has to become the universal approach that is really the only solution for the major problems that afflict the globe, including human trafficking.**

### **Outcome of the visit to the US**

The members of the IVLP team have increased understanding over the issue of human trafficking as the ‘Global Menace’. Strong advocacy for strengthening of the international network for combating human trafficking is the specific outcome of the visit program. The team attained improved knowledge over the legal and recognized services to the victims /survivors respective of the multiple legislation and law of the nation as well as exposure of the visiting team to the concerted efforts being taken in the country for prevention of human trafficking. The visiting team also gained better orientation in the context of policy goals for prevention of human trafficking at international level to carry out relevant lobbying and advocacy in India.