

The Trafficking Victims Protection Act

The Trafficking Victims Protection Act (TVPA) of 2000 was and still is the largest piece of human rights legislation in U.S. history. The TVPA created the first comprehensive federal law to address human trafficking and modern-day slavery, targeting both domestic and international dimensions of this crime. The law provides a three-pronged approach of prevention, protection, and prosecution. This strategy works to prevent vulnerability, protect survivors, and prosecute human traffickers.

Because the methods of these perpetrators are constantly evolving, the law must evolve with them. That is why the TVPA must be renewed every few years. The TVPA was reauthorized through the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003, 2005, and 2008. Each time the bill was reauthorized, innovations and improvements were added to the solid structure provided by the original TVPA of 2000. The current TVPRA of 2008 expires September 30, 2011.

KEY PROVISIONS OF TVPA OF 2000

Prevention

- Creates an Office to Monitor and Combat Trafficking In Persons within the State Department, which is required to report on and rank countries' efforts to combat trafficking. The President may impose sanctions on countries that fail to meet the minimum standards for the elimination of trafficking and are making no significant efforts to do so.
- Creates public awareness and information programs, and international economic development programs to assist potential victims.
- Creates partnerships to attempt to prevent goods made by slave labor from entering the country

Protection

- Expands the types of technical assistance that can be provided to foreign countries, including police training.
- Requires the Department of Labor to provide a list of goods that it has reason to believe have been made with forced labor or child labor.
- Provides the T Visa for foreign victims of trafficking in the U.S. allowing them protection and access to services in exchange for cooperation with law enforcement

Prosecution

- Makes human trafficking a federal crime with severe penalties.
- Creates new crimes of forced labor; trafficking with respect to involuntary servitude or forced labor; sex trafficking by force, fraud or coercion; or sex trafficking of children; and unlawful conduct with respect to documents (such as confiscating passports) used for trafficking.
- Mandates that restitution be paid to victims

Key International Provisions of the TVPA Reauthorizations

- Requires the U.S. government to terminate contracts with overseas contractors who engage in sex trafficking or commercial sex, or who use forced labor.
- Addresses sex tourism with prevention programs and increased penalties for perpetrators.
- Expands federal criminal jurisdiction to trafficking offenses committed abroad, meaning the alleged offender can be tried in the U.S. whether or not the crime was committed in the U.S. ("The Protect Act.")
- Requires the U.S. to cut military aid to any country that uses children in their national army or government-supported militias.
- Requires that countries ranked on the Tier II Watch List for more than two years receive the same sanctions as countries ranked on Tier III.