

# COUNTER FORCED LABOR JOURNAL

Volume 7, Issue 1

*Educating corporations and corporate counsels on the business risks associated with forced labor, human trafficking, and modern slavery within supply chains.*



**Counter Forced Labor Technologies** empowers corporations and businesses to mitigate forced labor in their supply chains by providing AI-powered, data driven technology products to manage all aspects of supply chain risk.

## **Global Risk Assessment Technology™**

Our proprietary GRAT™ is the only AI-driven due diligence technology platform for companies that want to accurately demonstrate best efforts to comply with government regulations, ESG standards and identify and mitigate forced labor, slave labor, and human trafficking in their supply chain.

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TECHNOLOGIES



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## Current Affairs

# Border Trafficking Impacts Ukraine

Millions of refugees are fleeing Ukraine and the risks of exploitation and trafficking are becoming apparent.

Since the war began in Ukraine, ninety percent of those fleeing Ukraine are made up mostly of women and children. This vulnerable population is desperate to find safety and shelter leaving everything behind; yet, only to find that they are being targeted by predators of injustice at the surrounding country borders. Unfortunately, at this time it is impossible to calculate exactly how many women and children have already fallen prey to traffickers during the war crises and at the war impacted borders.

However, the numbers are extremely high for the women and children that are being targeted by traffickers, which make up the majority of those fleeing the Ukraine.

The Helsinki Commission reports that, "**More than 4 million refugees have fled Ukraine** since Russia's massive invasion on February 24th, accounting for the largest migration of people in Europe since the Second World War. Most cross the Ukrainian border without resources or places to go, making them extremely vulnerable to human trafficking. Reports indicate that traffickers already are trolling border areas."<sup>1</sup>

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<sup>1</sup> Protecting Ukrainian Refugees From Human Trafficking to be Discussed at Helsinki Commission Hearing, CSCE, April 1, 2022



The reality of the current situation in Ukraine is that the more people that become displaced and the more refugees that migrate across borders, the more potential human trafficking victims there are likely to be. There is a clear connection between the fleeing caused by the Russian-Ukrainian conflict and the prevalence of trafficking in persons. In countries where a refugee crisis is more tangible, there is a greater likelihood of aggravating the problem of human trafficking.<sup>2</sup>

In a statement regarding the risks of trafficking and exploitation facing refugees from Ukraine, the United Nations High Commission on Refugees (UNHCR's) Assistant High Commissioner for Protection, cautioned that bordering countries, specifically Poland, should be on high alert, "warning refugees on the risks of predators and criminal networks who may attempt to exploit their vulnerability or lure them with promises of free transport, accommodation, employment or other forms of assistance." "We know that the risks of gender-based violence, trafficking, abuse, psychological trauma and family separation increase in times of conflict and displacement. As is the case in emergencies and owing to the hidden nature of human trafficking, data is difficult to ascertain, and it is impossible to gauge how many Ukrainian refugee women and children might have been preyed upon by traffickers."<sup>3</sup>

## Women & Children Exploited

Displaced and disoriented, refugees are more likely forced to put their trust in strangers. Notorious for targeting the disadvantaged and displaced are trafficking rings in Europe. The chaos of war is a perfect cover for traffickers to prey on women and children. "Women and children refugees fleeing the war in Ukraine to Poland are being targeted by suspected pimps and sex traffickers operating alone and in gangs", according to charities working on the border. "We've registered the first cases of (suspected) pimps preying on Ukrainian women near refugee shelter points in Lublin, Poland; accosting them, sometimes aggressively, under the guise of offering transport, work or accommodation," said Karolina Wierzbńska, a coordinator at Homo Faber, a human rights organization based in the Poland.<sup>4</sup> "These are not only men," she said. "There are also women attempting to procure female refugees at bus stations." "Observed are teams of perpetrators waiting for people arriving from Ukraine and pretending to offer rides or lodging to women distressed and exhausted from their journey."<sup>5</sup>

The most vulnerable during this difficult time of war in the Ukraine are truly the children. Children who have been separated from their parents, children who are targeted by predators both inside and outside the Ukrainian border. "Children are going missing and cases of human trafficking are being reported by aid groups and volunteers along Ukraine's borders amid the chaos of the refugee crisis triggered by the Russian invasion."<sup>6</sup> Charities and human rights groups working in neighboring countries to receive refugees said they had seen cases of trafficking, missing children, extortion and exploitation as more than 2.5 million people crossed into neighboring countries to escape the escalating violence.

"This is obviously extremely distressing for a child and can lead to them wandering around the station alone, disoriented and in the worst-case scenario, disappearing altogether. This, unfortunately, is not a hypothetical case – it has happened already," stated Wierzbńska of the Homo Faber organization.<sup>7</sup>

The neighboring countries of the Ukraine, Poland and Slovakia have the most reports of trafficking targets and suspects amongst women and children. Monika Molnárová, from Caritas Slovakia's Stop Human Trafficking team, said Slovakia's national unit for combatting human trafficking was working at the border and had intervened to protect women and children in suspected cases.<sup>8</sup> "The risk of trafficking is considerable, as the refugees, exhausted and deprived of any basic comfort, are, with every new day on the road, more and more vulnerable. We believe traffickers and recruiters are most probably targeting both women traveling alone and women traveling with children," she said.

<sup>2</sup> War in Ukraine Heightens Refugee Trafficking Awareness and Prevention, Asis International, April 28, 2022

<sup>3</sup> Statement on Risks of Trafficking and Exploitation Facing Refugees from Ukraine Attributed to UNHCR's Assistant High Commissioner for Protection, The UN Refugee Agency, April 12, 2022

<sup>4</sup> Children Going Missing Amid Chaos at Ukrainian Border, Aid Groups Report, The Guardian, March 12, 2022

<sup>5</sup> Vigilantes Stalk Ukraine Border as Sex Traffickers Target Fleeing Women And Children, The Guardian, March 24, 2022

<sup>6</sup> Children Going Missing Amid Chaos at Ukrainian Border, Aid Groups Report 6, The Guardian, March 12, 2022

<sup>7</sup> Children Going Missing Amid Chaos at Ukrainian Border, Aid Groups Report 6, The Guardian, March 12, 2022

<sup>8</sup> Children Going Missing Amid Chaos at Ukrainian Border, Aid Groups Report 6, The Guardian, March 12, 2022 =

## European Union Impact

Trafficking within the European Union (EU) are most of the time EU nationals, and a significant number of them are trafficked within their own country. The majority of the victims of trafficking in the EU are women and girls trafficked for exploitation, and almost every fourth victim of trafficking in the EU is a child.<sup>9</sup> The majority of traffickers in the EU are EU citizens; nearly three quarters of perpetrators are men. In the EU, the economic cost is estimated to be up to 2.7 billion EURO in a year.<sup>10</sup> Trafficking is a complex problem and there is a need for a comprehensive and thorough policy initiative in the EU that can coherently address the problem across all member states. The crisis in Ukraine and the effects on the surrounding border, only amplifies the complexity and hopefully pushes for a more unified approach within the EU.

## What is Being Done in the EU?

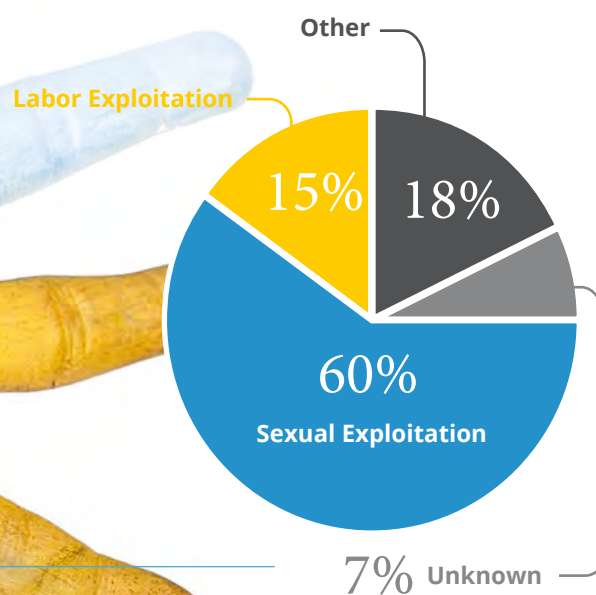
The EU has made significant steps to reduce risk for Ukrainian refugees fleeing the war, as they have been granted rights to work in the EU member states as well as to be able to have access to housing, medical care, and education for children.<sup>11</sup> The quick and impactful measures provide immediate relief to the refugee situation as well as helping with the problem of vulnerability and exploitation of those leaving the Ukraine, further addressing the problem of those who could be trafficked. Reports by the National Police of Ukraine identified recently that Europol "created an international platform to prevent human trafficking in refugees. The project is being implemented alongside law enforcement agencies in Austria, Bulgaria, Germany, Hungary, Poland, Romania, Slovakia, and Spain, with the main goal to prompt a joint response to report human trafficking and provide full cooperation and assistance with victims."<sup>12</sup>

The EU's efforts to combat human trafficking have been established in a European Commission that monitors the EU member states via legislative directives. "The complexity of the trafficking phenomenon calls for a comprehensive response. There is a need for overarching legal, policy, and operational initiatives to combat human trafficking in a coherent and wide-ranging manner – from prevention to conviction of criminals while emphasising the protection of victims at all stages, taking into account in particular women and child victims as well as trafficking for sexual exploitation."<sup>13</sup>

### Key Actions of the EU Commission:<sup>14</sup>

- Further support member states in implementing of the Anti-trafficking Directive, including through dedicated funding, in particular as regard the gender specific and child sensitive aspects.
- Ensure the effective implementation of the Anti-trafficking Directive as a matter of priority by using its powers conferred by the Treaties, including infringements as appropriate.
- Launch a study for the evaluation of the Anti-trafficking Directive, and based on the outcome of the evaluation, consider reviewing the directive.
- Ensure appropriate funding to combat trafficking inside and outside the EU.

Repartition of registered victims by form of exploitation in the EU in 2017 and 2018



<sup>9</sup>Together Against Trafficking in Human Beings, European Commission

<sup>10</sup>Together Against Trafficking in Human Beings, European Commission

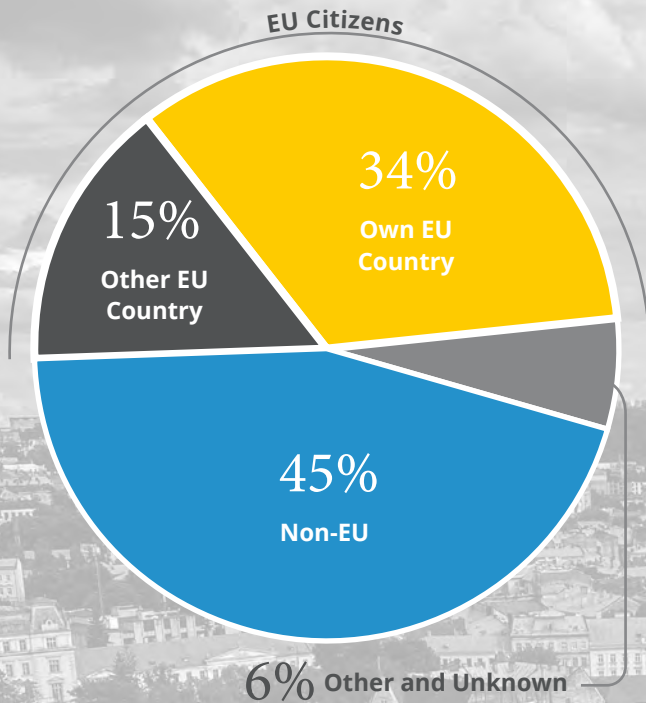
<sup>11</sup>Together Against Trafficking in Human Beings, European Commission

<sup>12</sup>Together Against Trafficking in Human Beings, European Commission

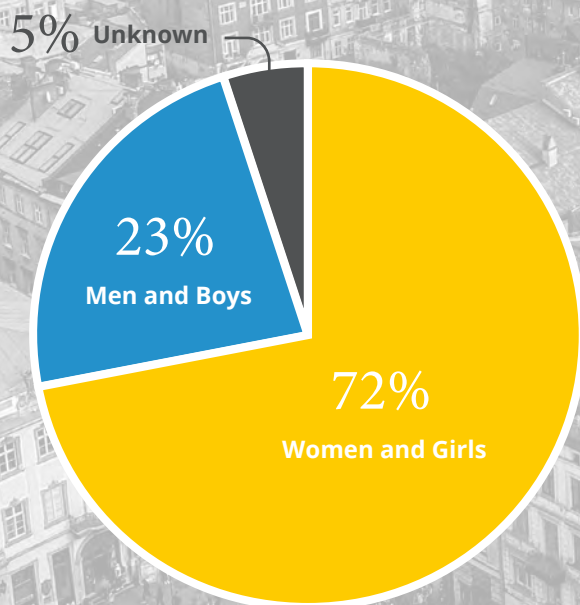
<sup>13</sup>Communication from the Commission to the European Parliament, The Council, The European Economic and Social Committee and The Committee Of The Regions on the EU Strategy on Combatting Trafficking in Human Beings, Eur-Lex, April 14, 2021

<sup>14</sup>Communication from the Commission to the European Parliament, The Council, The European Economic and Social Committee and The Committee Of The Regions on the EU Strategy on Combatting Trafficking in Human Beings, Eur-Lex, April 14, 2021

Repartition of registered victims of trafficking by EU and non-EU citizenship in the EU in 2017 and 2018



Repartition of Registered Victims by Sex in the EU in 2017 and 2018



## What is Being Done in the U.S.?

Just recently, the U.S. Department of State announced “the launch of a new *Conflict Observatory* to capture, analyze, and make widely available the evidence of Russia-perpetrated war crimes and other atrocities in Ukraine. This program is being established with an initial \$6 million dollar investment, with future funding to come from the European Democratic Resilience Initiative (EDRI). Additionally, the White House announced at least \$320 million in funds for EDRI to bolster democratic resilience, advance anti-corruption efforts, and promote respect for human rights in Ukraine and its region.”<sup>15</sup>

Along with the State Department, the Biden Administration is assisting Ukraine with its new and ongoing war crimes probes and war crimes investigations and charges. Additionally, a newly launched program by the U.S government is the *Uniting for Ukraine* program which provides a way for Ukrainians and their family members to come to the U.S. and stay temporarily for two-years. There must be a U.S sponsor who agrees to provide them with financial support during the duration of their stay, and they must pass the U.S. Citizens and Immigrations Service applications and standards. To date there have been 15,000 travel authorizations approved.<sup>16</sup>

The people of Ukraine have a long road ahead of them, and the uncertainty of the safety and security for its people is yet to be determined. Having said that, the awareness of the current trafficking peril at the borders via various governments and organizations has brought light to the present situation. Hopefully, in the days and months ahead the Ukrainian people might dream for a better tomorrow.

<sup>15</sup> Promoting Accountability for War Crimes and Other Atrocities in Ukraine, U.S. Embassy of Ukraine, May 17, 2022

<sup>16</sup> U.S. ‘Uniting For Ukraine’ Program Helping Displaced Ukrainians Arrive Here, Forbes, May 27, 2022



# *The Sugarcane Supply Chain*

**In consideration of today's global supply chain we should pass on the age old saying of "pass the sugar please."** Specifically, we should pass on the sugarcane that is tainted with slave labor coming from parts of Asia and South America, such as Cambodia, Vietnam, or Brazil, to name a few of countries that are listed in the U.S. Department of Labor site of 'forced child labor countries producing sugar cane.'

The global production value of sugarcane sits at roughly \$88 Billion dollars. The sugarcane market is highly concentrated with very few players. And, with few companies in the business of sugar production and supply it is more difficult to trace the accountability of the supply chain. About two-thirds of the sugar trade in both raw and refined sugar worldwide is controlled by only six trading companies.



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Sugar is the sustainability of the American economy, and the American way of eating and living. According to the U.S. Department of Health and Human Services, "the average American consumes almost 152 pounds of sugar in one year. This is equal to three pounds of sugar consumed in one week."

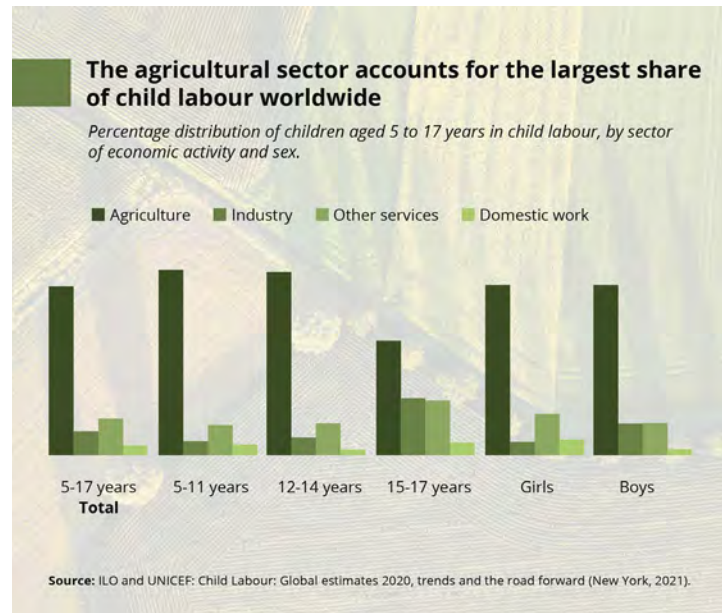
As sugarcane production increases globally it brings to light challenges related to low wages and poor health and safety. The supply chain can additionally have a negative impact on the environment related to the pollution of land and water. The agricultural sector accounts for the largest share of child labor worldwide according to the International Labor Organization (ILO). "In the world, there are 160 million children -63 million girls and 97 million boys - who are in child labor, which accounts for almost 1 in 10 children worldwide, with half of whom are in hazardous work."

The work conditions in sugarcane production across various countries is most often times unacceptable encompassing - forced labor, child labor, low wages, uncertainty in job security as well as safety issues which are unchecked.

Sugarcane production has increased over the past several decades, doubling over the last 20 years in tandem with the growing demand and consumption of processed foods and beverages. A few issues are presented when reviewing the impact of slave labor in the sugarcane production. Producing sugarcane places significant pressures on the water supplies which in turn leads to water pollution that affects ecosystems. More importantly, the business impacts are human rights challenges whereby businesses are at risk for jeopardizing their stakeholders' trust and consumer trust when policies and procedures are not in line with ethical production.

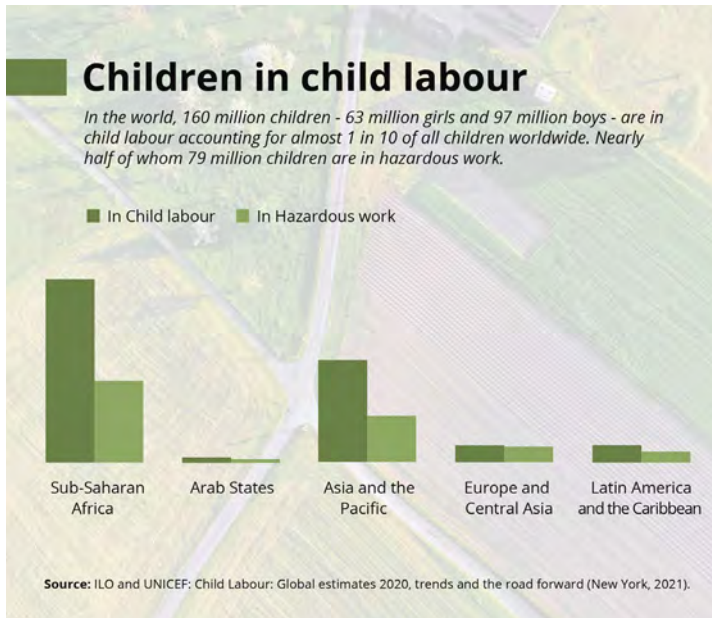
When looking at countries with the highest production in sugar, and child labor, South Asia has some of the highest numbers. According to the U.S. Department of Labor, there

are reports that children ages 5 to 17 produce sugarcane in Cambodia, Vietnam, Burma and Nepal to name a few. Child labor in the sugarcane sector occurs on both commercial plantations and smallholder farms. Children from families that have lost land through concessions to sugar companies are particularly vulnerable to exploitative labor on plantations.



According to international organizations, NGOs, and media reports, child labor in the Cambodian sugarcane sector is a widespread concern, with numerous incidents reported across the country. Children laboring in the sugarcane fields often work long hours under the hot sun and report difficulty breathing, headaches, and dizziness as a result. Child workers in this sector perform hazardous tasks such as carrying heavy bundles of sugarcane, using dangerous tools, and spraying toxic pesticides. Many children incur injuries on the job, including skin infections and cuts from sharp cane leaves or knives."

Brazil and India account for 60% of the sugarcane production. A recent survey conducted with the government of Brazil demonstrated that the sugarcane cultivated in Brazil was done by children ages 14 to 17. Teens and children alike were both accounted for in the survey, and it was noted that those who work in the sugarcane production are exposed to long hours, high temperatures, and lack protective equipment.



The best way to address sustainability issues in the sugar supply chain, is to identify the source of sugar used in products. Sugar buying companies should conduct thorough due diligence to identify, prevent, mitigate, and account for adverse impacts in order to be transparent.

With a growing awareness of the social and labor issues surrounding the global supply chains, there are greater expectations for transparency. If some of the largest companies can look at their supply chains and ensure that their sugarcane comes from sustainable sources, there's no question that other companies could follow and do the same. This is easy to say, but extremely difficult to achieve in practice.

The challenge of this generation is the ability for large companies to align their diverse goals and incentives in a way that ensures food security for a global population while simultaneously adhering to accountability to human rights within the supply chain.

The local, national and global value chains of the world's most important agricultural commodities are often highly complex. Whether a commodity's importance is defined in terms of levels of production and consumption, financial value, its relevance to food security or a combination of these, its value chain is usually influenced by a wide array of often conflicting political and economic interests. The value chains of most agricultural commodities are also populated by thousands if not millions of different actors.

These actors range from producers, traders, processors, manufacturers and retailers to policy makers, regulators, investors and advocates. They almost always have diverse goals and incentives.

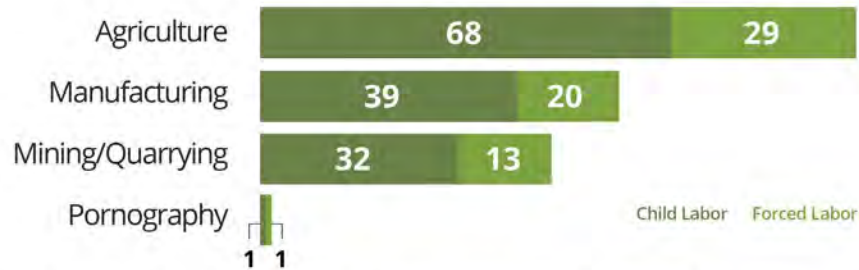
***"Sugar buying companies should conduct thorough due diligence to identify, prevent, mitigate, and account for adverse impacts in order to be transparent."***

Clearly it is impossible to know where all of our sugar is being sourced and what type of labor was involved, especially when it is already an ingredient in most of our food. But having said that, we can create awareness in the global supply chain production.



# The List in Numbers

Number of Goods Produced Globally by Production Sector,  
Disaggregated by Child Labor and Forced Labor



Goods with the Most Child Labor Listings by Number of Countries



Goods with the Most Forced Labor Listings by Number of Countries



## The Global Sugar Industry Facts at a Glance:

- The sugar industry supports the livelihoods of millions of people – smallholders and estate workers, workers in the wider industry, and family dependents.
- About 80% of production comes from sugar cane – grown in the tropics – and 20% from sugar beet – grown in temperate climates including Europe.
- 160 million tonnes of sugar are produced every year in 123 countries around the world.
- The largest producers are Brazil (22%), India (15%) and the European Union (10%).
- 70% of sugar is consumed in producer countries and 30% traded on the international market.
- Developing countries earned \$33.5bn from the \$47bn export sugar trade in 2011.






Ask the Expert:


# Detective Joseph Scaramucci

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Detective Scaramucci is a **nationally renowned law enforcement expert** on human trafficking, having trained hundreds of local, state, and federal agencies across the United States.

He provides training and technical assistance regularly through the federal Office on Victims of Crimes and through Collective Liberty's Advanced Human Trafficking Investigations training institutes.



He began his law enforcement career on patrol before being promoted to Detective in 2008 with the McLennan County Sheriff's Office, investigating Crimes Against Persons. Since initiating investigations in Human Trafficking in 2014, Detective Scaramucci has participated in John Suppression events, arresting over 450 sex buyers with his partner in a period of 8 months. In the last 3 years he has conducted sting operations resulting in the arrest of approximately 120 individuals for Human Trafficking and related offenses, which lead to the recovery of approximately 200 trafficking victims and seizure of more than \$300,000 in Currency and assets.

Detective Scaramucci has worked both State and Federal investigation as a Task Force Officer with H.S.I., which has led to investigations and arrests throughout the U.S. and Canada. He has also led and trained numerous agencies throughout the U.S. on how to conduct these operations, along with operations targeting Illicit Massage Parlors. Detective Scaramucci is certified in Courts of Law as a Subject Matter Expert in Human Trafficking. He is further employed as a consultant for Collective Liberty, training more than 100 agencies throughout the country, along with providing technical support for their Human Trafficking Operations and Investigations.

***As the lead detective for the McLennan County Sheriff's Office Human Trafficking Unit, who travels across the county to help other law enforcement departments in the fight against trafficking, what are some lessons learned for businesses, communities, and individuals to understand regarding the impacts of trafficking? How can a county or a state for that matter tackle human trafficking, and what are the right tools?***

One of the biggest lessons to look at with trafficking is that it happens everywhere. I have worked in some of the major cities in the country as well as in the small towns. Per capita we can make just as many arrests in a small town as we do in a large city for that matter. People like to talk about certain cities that are a hub, that is not usually the case, trafficking is more consistent with population.

When looking at human trafficking from a law enforcement lense. No department is too small to do something. Beyond that and looking at tools it differs per each law enforcement organization and their tools. The biggest thing is knowing what exists in trafficking, and understanding what we can do to effectively combat it. There is an organization called Collective Liberty, where we can cross search against different financial transactions. At Collective Liberty they produce efficient insights needed by law enforcement and other agencies to prosecute human traffickers, they also help protect and liberate survivors.

In my role as a Task Force officer for the Department of Homeland Security I have the ability to cross collaborate with local, state and federal agencies for effectiveness. Another great technological tool I use is called Clearview AI, which does facial recognition. This artificial intelligence is an extremely powerful tool for searching biometrics of the face, which allows law enforcement to generate leads and identify suspects quickly.

Facial recognition can provide that a picture or person be verified in different online accounts, such as social media, or any other social platforms. Which in turns provides a quicker turnaround to identify suspects and make prosecutions.

With regards to tackling human trafficking, in the state of Texas every officer is a peace officer of the state, which provides for any peace officer to go anywhere in the state and do their job. Usually there isn't much state involvement, and reaching out to each local area for interaction and follow up is the most effective.

***Recently you traveled to the border of the Ukraine and Poland, where human traffickers are exploiting refugees from Ukraine, to provide training and expertise on this matter to the Polish authorities. What was the current state of affairs at the border? What are your key takeaways?***

At the time when I visited a few months ago, the Polish government was overwhelmed, they were trying to herd people from every direction. For example, they were trying to help get movement whether by train or bus so that refugees could leave Ukraine. Unfortunately, due to the mass exodus on the Ukrainian side, there was a lot of confusion and disorganization. Confusion on whether transporters were human traffickers or legitimately helping people to move across the border or out of the country. Eventually, the Polish government worked with organizations and created a tag system whereby people could be identified as legitimate transportation at the borders.

When I was abroad, I was able to use specific technology and AI to help assist with vetting and deciphering who might be credible in assisting transport. Additionally, on the Ukrainian side, there was a lot of trauma and confusion as to where people might go and what help was available. At that time when I would walk the streets, we would see people taking passports from other people and we were able to intervene. Unfortunately there were opportunists, as well as people who did just want to assist and help. At that time it was being reported in the news that there was a lot of trafficking, yet confirmed cases are still hard to track, and we will not know more until the data is out in the years to come. It is important to remember that trafficking is everywhere, it is not necessarily prevalent in certain countries. Trafficking has no boundaries or borders.

***As an advocate of public education and involvement you have championed awareness and training in law enforcement in your county and in the state of Texas? What are the top policies or initiatives a county and state should have when trying to tackle human trafficking?***



The two biggest initiatives are: **1) Decriminalization of sex selling.** I do think we should not have the ability to arrest women for prostitution. For a few reasons. Statistically speaking we are arresting victims mostly, and **2) Texas is the first state to make sex buying a felony as a first offense.** I worked hard on this bill with the state of Texas and to help set a precedence right away.

Enhanced penalties around trafficking, for example for pandering or pimping, are charges that carry significant prison sentences. I can be arrested for trafficking and have to prove coercion, and it can be an uphill battle. The victim is always cooperative, but more difficult for them to take the stand, so it is much more efficient at the end of the day for the victim to prosecute. To be victim centered is a way to leverage the crimes and not have to put the victim on the stand. It is always better to be efficient when prosecuting a trafficker.

My background prior to being a detective was in homicide which has been beneficial to my case work. Just like in homicide where you wouldn't put that victim on the stand, the same can apply with the trafficked victim who would like to make the report, and yet be safe at the same time. If we can do something to move quickly whereby the trafficker can get jail and the victim doesn't have to take the stand, why not. If you choose to not do anything because it doesn't fit the exact offense, it is still better to find what is at fault and put the trafficker in prison.

**Unbound is a non-profit that supports survivors and provides resources for communities to fight human trafficking around the United States and the world. What are some specific initiatives that you have been working on with this organization?**

Unbound is an amazing organization and crucial to a lot of my work. Unbound supports survivors and resources communities to fight human trafficking, with locations in the United States and around the world. I don't do anything without them when it comes to operations. If we are at a hotel, or site, they are with us. Having the non profit staff with us on site, let's say at a hotel, provides a comfortable way to interact with the victim. This builds rapport with victims, and in turn allows us to gather information. We want to help the victim, gain trust and rapport. Having Unbound bridges the gap with the victim as a buffer and filters the information. This makes the whole experience and outcome victim centered. The victim needs to feel that they are being helped

and heard, instead of them thinking they are going to jail. The more important thing is to have that trust with the victim so they can share information. Unbound additionally will continue to build the relationship with the victim at that point and continue to help them go forward, which is crucial.

**How can each one of us as individuals make a difference in the fight against human trafficking?**

If you see something, make the call, report it. It makes a difference. If it doesn't look right, say something. Call your local law enforcement. There are many times when we receive information from a local, such as a report or call where something wasn't right and those reports matter. It's so important to have the eyes and ears on the ground of what might be happening. They make a difference. Also, when working with organizations and nonprofits, always vet them out and make sure they are true to their mission statement and outcomes.

**Is there a federal law or mandate that can be used to prosecute trafficking? Have you ever prosecuted any of your suspects federally? Is there a standard for filing? Is that standard unreachable? Do federal laws need to change? If so, in what way?**

Across the U.S. there is no consistency for prosecuting. Charges federally sometimes are not necessarily the only way to prosecute since the charges vary and are not long time sentences. Ideally, it would be best to use a combination of charges on both sides, by using both state and federal laws to prosecute. Looking at state law is really crucial because generally it is hard to prosecute a trafficking case that is not airtight, especially since there is the need to have proof beyond a reasonable doubt. As such, when using both state and federal laws to prosecute it provides a more sufficient sentence.



# Current Legislation

**Highlights:**

**New & Noteworthy  
Anti-Trafficking  
Legislation**





## S. Res. 500 \*Passed in the Senate

A resolution supporting the observation of **National Trafficking and Modern Slavery Prevention Month** during the period beginning on January 1, 2022, and ending on February 1, 2022, to raise awareness of, and opposition to, human trafficking and modern slavery.

Sponsor: **Sen. Feinstein, Dianne** [D-CA]  
(Introduced **02/01/2022**) Cosponsors: (16)

## S. Res. 2991 \*Passed in the Senate

### Countering Human Trafficking Act of 2021

This bill provides statutory authority for the Center for Countering Human Trafficking (CCHT) within the Department of Homeland Security (DHS). The CCHT coordinates DHS efforts to **combat human trafficking** and the importation of goods produced with forced labor.

**The bill requires the CCHT to develop a strategy to improve the systems and processes used throughout DHS to combat human trafficking and the importation of goods produced with forced labor.**

The bill transfers the functions and resources of the Blue Campaign (i.e., the national public awareness effort to combat human trafficking) to the CCHT. DHS may also transfer to the CCHT any other component, directorate, or office of the department related to combating human trafficking.

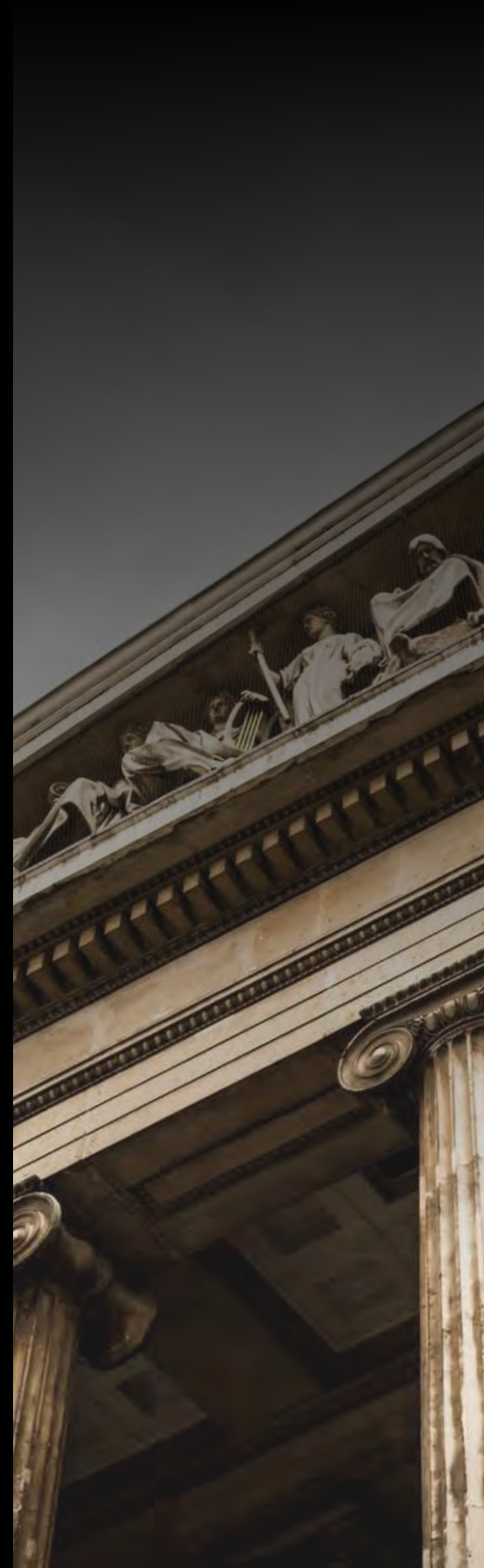
Sponsor: **Sen. Peters, Gary C.** [D-MI]  
(Introduced **10/18/2021**) Cosponsors: (3)

## S. 895 \*Passed in the Senate

### Human Trafficking Survivor Tax Relief Act

This bill **excludes from gross income**, for income tax purposes, any civil damages, restitution, or other monetary award (including compensatory or statutory damages and restitution imposed in a criminal matter) awarded pursuant to an order of mandatory restitution or in **a criminal proceeding for peonage, slavery, or human trafficking**.

Sponsor: **Sen. Cornyn, John** [R-TX]  
(Introduced **03/23/2021**) Cosponsors: (8)





# Noteworthy Legislation Related to the Supply Chain & Trafficking

## H.R. 5479, Supply CHAIN Act

The Supply CHAIN Act would create a new Office of Supply Chain Resiliency and Crisis Response at the Department of Commerce to promote resilient supply chains and plan for and respond to supply chain shocks in critical industries.

The Office would be responsible for mapping and monitoring critical supply chains to identify vulnerabilities and opportunities as well as creating coordination groups which may include private sector partners to ensure operational sustainability and avoid significant supply chain disruptions. \$500 million per year would be authorized for FY 2022-2027 to support the office.

Sponsor: **Rep. Carolyn Bordeaux** (D-GA)

Co-sponsors: **Reps. Robin Kelly** (D-IL)

and **Adam Kinzinger** (R-IL)

### GOALS OF THE OFFICE:



- Promote the leadership of the United States in critical industries and supply chains.



- Encourage partnerships and collaboration between the Federal Government and industry, labor organizations, and state and local governments.



- Monitor the resilience, diversity, security, and strength of supply chains and critical industries.

**The office could advance these goals by, among other things:**

- Identifying opportunities to reduce supply chain gaps and vulnerabilities.

- Establishing a coordination group (and appropriate subgroups) with private sector partners to plan for and respond to supply chain shocks and support the resiliency, diversity, security, and strength of supply chains.
- Working with existing authorities at the Department of Commerce and in coordination with the Department of State and the United States Trade Representative to promote diversified and resilient supply chains.

**The office would be responsible for issuing a quadrennial National Strategic Plan for Manufacturing and Industrial Innovation which would include:**

- Insights and recommendations to improve the security and resiliency of supply chains and to support the creation of jobs through the growth of American manufacturing.
- Guidance to relevant agencies with respect to critical goods and services, equipment, and technologies which should be prioritized.
- Reviews and recommendations for expanding the sourcing of critical goods and services, equipment, and technology from allies or key partners of the United States.

### STATUS:

**10/5/2021**

Introduced

**10/5/2021**

Referred to the House Committee on Energy and Commerce.

**10/6/2021**

Referred to the Subcommittee on Consumer Protection and Commerce. the jurisdiction of the committee concerned.

**The Act would create an Office of Supply Chain Resiliency and Crisis Response at the Department of Commerce, headed by an Under Secretary of Commerce.**

## H.R. 3848, Critical Supply Chains Commission Act

This act would establish the National Commission on Critical Supply Chains, and for other purposes.

Sponsor: **Rep. Tim Ryan** (D-PA).

Co-sponsors: Reps. **Bill Posey** (R-FL), **Ed Case** (D-HI), **Frank Mrvan** (D-IN), **Mikie Sherrill** (D-NJ), **Tom Reed** (R-NY), **Del. Eleanor Holmes Norton** (Del. -D.C.), **Dutch Ruppersberger** (D-MD), **Josh Gottheimer** (D-NJ), **Brian Fitzpatrick** (R-PA), **Cynthia Axne** (D-IA), **Kathy Manning** (D-NC), and **Michael Doyle** (D-PA).

### STATUS:

**6/11/2021**

Introduced

**6/11/2021**

Referred to the House Committee on Energy and Commerce.

**6/14/2021**

Referred to the Subcommittee on Consumer Protection and Commerce.

<sup>1</sup> Safer Conditions for Apparel Workers. International Finance Corporation.

<sup>2</sup> Apparel Importers, Like Uniqlo, Tripped Up by U.S. Ban on Forced-Labor Goods From China. *The Wall Street Journal*, June 28, 2021.

<sup>3</sup> China's Uighur Camps Swell as Beijing Widens the Dragnet. *The Wall Street Journal*, August 17, 2018.

<sup>4</sup> CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang. U.S. Customs and Border Protection, January 13, 2021.

<sup>5</sup> U.S. Bans Cotton, Tomato Imports From China's Xinjiang Region. *The Wall Street Journal*, January 31, 2021.

<sup>6</sup> U.S. Bans Cotton, Tomato Imports From China's Xinjiang Region. *The Wall Street Journal*, January 31, 2021.

<sup>7</sup> CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang. U.S. Customs and Border Protection, January 13, 2021.

**Operation Game On: Annual Golf Classic Tournament**

On April 4th 2022, Counter Forced Labor Technologies was a returning sponsor for the Annual Golf Classic Tournament for Operation Game On with Founder and CEO, Tony Perez in San Diego, California. Operation Game On gives returning combat-injured veterans suffering from physical and mental disabilities a very special custom introduction to golf as well as the continued ability to play golf consistently.

Providing golf as a form of rehabilitation serves returning combat-injured troops suffering from physical and mental disabilities. Founder Tony Perez believes “golf is good for the mind and for the body. It allows combat-injured veterans to compete, laugh, relax, focus, and challenge their muscles outside of regular physical therapy. It gives them hope of a clearer future after their tragic injuries and experiences of war. The goal of *Operation Game On* is to reach out to troops and their families to show them the honor they deserve through the game of golf.”<sup>1</sup>

**National Human Trafficking Awareness Day**

January 11th 2022, is the annual National Human Trafficking Awareness Day, and is observed every year on this date since January 2010. In 2007, the Senate formally named January 11th as National Human Trafficking Awareness Day. This was followed by a proclamation by President Obama on January 4, 2010, naming January as National Slavery and Human Trafficking Prevention Month.<sup>2</sup>

The victims affected and forced into modern day slavery can be of foreign nationalities or the citizens of the USA, but they are all subjected to the horrific injustices of human trafficking, including sex trafficking, forced labor, involuntary servitude, forced marriage and debt bondage. Many of the anti trafficking organizations arrange awareness raising campaigns all year- round, but particularly in January when this awareness day is officially recognized.

**The Uyghur Forced Labor Prevention Act (UFLPA)**

Beginning on June 21st 2022, the U.S. Customs and Border Protection (CBP) will begin to implement the Uyghur Forced Labor Prevention Act's (UFLPA) provisions to prohibit imports made by forced labor into the United States of products made in Xinjiang. President Biden signed the Act into law on December 23rd 2021, after it passed with overwhelming bipartisan support in the United States Congress. The recent implementation underscores the United States government's commitment to combating forced labor everywhere, including in Xinjiang, where genocide and crimes against humanity are ongoing.

Specifically, as stated by the U.S. Department of Homeland Security, The Uyghur Forced Labor Prevention Act (Public Law No. 117-78), also known as the UFLPA, directs the Forced Labor Enforcement Task Force to develop a strategy for supporting enforcement of the prohibition on the importation of goods into the United States manufactured wholly or in part with forced labor in the People's Republic of China, especially from the Xinjiang Uyghur Autonomous Region, or Xinjiang.<sup>3</sup>

**U.S. Chamber of Commerce Highlights Counter Forced Labor Technologies' Work in Mapping Software to Combat Trafficking**

On July 26th in Washington D.C. Counter Forced Labor Technologies participated and was recognized for their novel work in supply chain mapping software at the release of the U.S. Chamber of Commerce and United Way publication titled “**Trust by Performance: United Business & Philanthropy Against Trafficking.**” The U.S. Chamber of Commerce and United Way Worldwide partnered to develop a report that highlights the importance of strategic philanthropic investments to combat human trafficking; how technology assessment companies use supply chain mapping software to detect how perpetrators operate; and the role of public-private partnerships to raise awareness.

**2022 World Procurement Congress**

Counter Forced Labor Technologies attended the 2022 World Procurement Congress (WPC) 2022 event in London, England. The World Procurement Congress is a leader in challenging the status quo in the value of procurement. The event featured inspiring leaders and top knowledge partners who are pushing the boundaries on innovation, ESG, and supply chain resiliency.

The World Procurement Congress and Awards that took place highlighted procurement leaders in a one of a kind global gathering. There were displays of innovation, ESG & supply chain resilience in abundance. With \$7 trillion of spend under management in the room, it is easy to conceive of the power and impact this community, along with insights from the 95 conference sessions had on the global supply chain community.

Counter Forced Labor Technologies' SVP of Business Development Wil Henderson highlighted that “The 2022 WPC was an amazing gathering of the biggest players and brightest thinkers in the world of procurement. The speakers and exhibitors all showed how business, and specifically, business procurement teams, can be agents for real change. Counter Forced Labor Technologies was honored to be in attendance.”

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<sup>1</sup>Operation Game On, April 4, 2022

<sup>2</sup>National Human Trafficking Awareness Day, National Today, January 11, 2022

<sup>3</sup>Uyghur Forced Labor Prevention Act, June 21, 2022





IN MEMORY OF  
Wilmer "Wil" Henderson, Jr.

JUNE 12, 1970 ~ JULY 18, 2022



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