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Contents & Features







Features | Combating Labor Trafficking

Free The Slaves

Slavery Undermines Security in Democratic Republic of Congo The Role of Trafficking in Continuing Instability

11

Sindhu Kavinamannil and Kimberly Vinci Slave Labor to Support US Contracts Fraud, Manipulation and Indentured Servitude

USAID

Fighting Modern Day Slavery USAID's ACT Program in Bangladesh

E Laura J. Lederer, J.D.

Insuring Freedom While Defending Freedom Addressing Slavery & Slavery Like Practices in Defense & Defense Contracting Industries

Tristan Forster Heroes & Villains Policing Labor Supply Chains

From Headquarters

Jessica Vogel From the Editor's Desk A bi-monthly review of ISOA's activities: March-April 2012

Doug Brooks: President's Message

Attention: Trafficking Translating Policy Initiatives in to Successful Compliance



Q & A | E. Benjamin Skinner



Eric Long

Revealing the Realities of Trafficking *A conversation with E. Benjamin Skinner*



Perspectives



5 Amb. Herman J. Cohen (ret.) What a Difference a Coup Makes Republic of Mali on the Brink of Collapse

Sponsored Section



Aid & International Development Forum Building Partnerships for Relief and Developmeny A Must-Attend Event on the Humanitarian and Development Calendar



Member News & Jobs Board A Review of News & Jobs from ISOA Members *March-April 2012*



9 The Association of the Stability Operations Industry A Directory of the Members of ISOA Providing a vast array of services in fragile environments worldwide

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From the Editor's Desk A Bi-Monthly Review of ISOA's Activities: March-April 2012

S pring is always a busy time, but add the early onset of warm weather, and things certainly heated up. The U.S. Presidential election picked up steam as the Republican primary finally shook out the leading candidate, and Congress presented several bills pertinent to ISOA members. The first iteration of efforts to implement some of the Commission on Wartime Contracting recommendations was released, followed shortly thereafter by twin bills in the House and Senate on labor trafficking. Talks about the drawdown in Afghanistan kept up their usual volume, while Iraq took some of the spotlight as it continued to take control over governmental functions on a large scale. The issuance of visas is still a problem, and companies and NGOs from all over the world continue to see slow progress. Conflict erupted in hotspots in Syria, Mali and Sudan. Amid discussions of sequestration in the U.S. Department of Defense budget starting in 2013, international calls for intervention to quell these conflicts fell on mostly deaf ears, except for continued attention from the United Nations.

SPOTLIGHT Standards, Ethics & Compliance

ISOA was founded 11 years ago in April 2001 with the ISOA Code of Conduct, a document created by, now ISOA President, Doug Brooks in coordination with NGOs, human rights advocates and local people in Africa in order to ensure high standards for companies working there. Today, our Code of Conduct defines ISOA's efforts to foster a global partnership of private sector and nongovernmental organizations committed to providing the highest level of service in their critical support in fragile environments worldwide. To this end, ISOA tracks, responds to and participates in various standards processes and important issues regarding our code. March and April were particularly active for ISOA's compliance efforts.

Human Trafficking

There has been a significant amount of movement on human trafficking issues in Washington over the past two months. President Obama's Interagency Task Force To Monitor and Combat Trafficking in Persons met in mid-March to report on progress at all USG agencies to address the issue. Twin bills were also announced from the House and Senate addressing trafficking. The Office of the Inspector General for the Department of State testified on human trafficking and abusive labor practices involving Third-country nationals hired to perform services under contracts or subcontracts to the federal government on overseas contracts. ISOA and the ABA had begun in February to plan a labor trafficking conference for 1 May—and the climate in DC was certainly ripe.

International Code of Conduct for Private Security Providers: Draft Charter

The long-awaited release of the ICOC-PSP Draft Charter was met with careful coverage by ISOA. Our Private Security Companies Committee met to review the new document, and welcomed Mark DeWitt from Triple Canopy for a webinar. ISOA subsequently coordinated industry comments on the Draft Charter. We await next steps in the coming months.

Fundamentals of Ethics & Compliance Seminar

ISOA Member Steptoe & Johnson hosted a members-only seminar in their Washington office on ethics and compliance in March. The comprehensive event was a must-attend for compliance officers and was a great opportunity to share experiences and best practices.

ISOA Events Review March-April 2012

Private Security Companies Committee Webinar: Overview of the ICOC-PSP Draft Charter Featuring Mark DeWitt, Triple Canopy

Doing Business with the

United Nations Featuring Dmitri Dovgopoly, Director, UN Procurement Division Hosted by DynCorp International

Seminar: Fundamentals of Ethics & Compliance

Hosted by Steptoe & Johnson

Members-Only Networking Reception Sponsored by Chapman Freeborn

ISOA Middle East Chapter Event: Logistical Challenges of Operating in Afghanistan Sponsored by Clements Worldwide and AGP

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Doug Brooks

Attention: Trafficking

Translating Policy Initiatives in to Successful Compliance



HE U.S. Congress's newfound interest in addressing the problem of labor trafficking is certainly welcome, given that the issue has long plagued U.S.-led operations in Afghanistan and Iraq. Although hardly a new problem by any means, the issue may have been lost in the midst of so many other more immediate mission-related crises. Some well thought-out laws and regulations already on the books have been under-enforced for years by the governmental entities running the missions. Nevertheless, in the current enthusiasm to address labor trafficking, we should always keep in mind that international employees are gaining opportunities for well-paying jobs and careers, otherwise beyond their reach. More to the point, they bring enormous efficiencies, skills and capabilities to stability operations around the world - resources that we should not hamstring.

Congressional attention may be just the right medicine to add backbone to laws and regulations. We have seen how Congressional anger can quickly cut through bureaucratic impasses and force agencies to cooperate, policies to be developed, and, yes, even laws to be enforced.

Doug Brooks is President of the International Stability Operations Association. Contact Doug at dbrooks@stability-operations.org. No government official looks forward to testifying before a Congressional committee to explain why his or her department has failed to enforce a law or regulation that is dear to a representative. Even worse is having his/her boss called to appear. Thus, high Congressional interest has a real impact on policy.

ISOA members have been clear on this policy, and every company that joins the Association agrees to support our own Code of Conduct which includes clauses recognizing the right of employees to understand the risks and circumstances of their employment and, if desired, to terminate that employment. Government clients must always navigate a labyrinth of contracting regulations, and the better that companies are able to stay in compliance, the more successful they are likely to be in the field.

When governments ignore their own rules and laws and choose contractors solely on cost (aka lowest price, technically acceptable' -LPTA), it undermines the companies that spend resources on ensuring compliance with all laws and regulations, not just the laws and regulations currently in vogue. Shamefully, some public policy institutes and Congress itself have been guilty of advocating the lowest-price-at-any-cost

U.S. Congress, Credit: Architect of the Capital

mentality that infects too much of the government in these vital stability policies. Such policies lead to many losers, including the tax payers who receive sub-par and noncompliant services that can actually harm vital international policies. Employees in the field suffer as well, from underresourced projects to inadequate or even absent anti-trafficking policies that allow dishonest brokers to shake down potential employees. The ultimate victims of destructive contracting on-thecheap policies are the populations in the very countries that we are trying to help, as they are forced to endure the mediocre results of bad contracting processes.

Nevertheless, two important points should be kept in mind as we examine how best to address the labor-trafficking problem:

1) Local nationals (LNs) and third country nationals (TCNs) bring enormous efficiencies and value to international missions. Their costs can be as much as 50 times less than imported Western talent with similar skill sets. They often bring experiences and backgrounds from unstable areas that make them more hardy, savvy and resilient than skittish Western employees.





TAKE PART IN AIDF 2012 AT DISCOUNTED RATES WITH ISOA

AIDF is the must-attend event in the humanitarian and development calendar which facilitates partnerships, addresses global issues and encourages the sharing of expertise. Over two days, one of the biggest dedicated exhibitions in the world attracts over 1,400 delegates and over 120 exhibitors from all over the world.

The 2012 event provides you and your organization an unrivalled platform to engage and interact with representatives from some the world's leading aid and development organizations, including the UN, NGO's, Banks, Government Bodies and aid agencies.

Now in its 12th year, AIDF returns to Washington D.C. from June 6-7th, 2012.

THE FORUM

The agenda for this year's event has been planned with guidance from our panel of Expert Advisors representing each of the UN cluster zones.

There will be workshop and conference sessions with four focus tracks -Partnerships, Providing Basic Human Needs, Harnessing Policy and Responding to Global Flux.

The interactive zone and pitch tanks are a tangible way for suppliers to demonstrate their products and technologies to buyers.

WHY WASHINGTON D.C.?

Washington D.C. is the center of US government and control of US spending on humanitarian activities - the largest source of humanitarian funding from a single country. It is also home to over 200 NGOs involved in the international aid sector.

HIGH PROFILE VISITOR AUDIENCE INCLUDING: USAID

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- PAHO Procurement Officer
- U.S Army Cops of Engineers Program Manager, International
- Islamic Relief (USA) Vice President of programs
- UN World Food Programme Donor Relations Consultant
- Senior Alliance Advisor
- American Red Cross Senior Logistician
- International Federation of Red Cross Head of Shelter
- World Vision Global Procurement Director
- Department of Homeland Security Reconstruction and

Stabilization

- Team Leader/Contracting Officer, Transportation Division
- FEMA .
- Hazard Mitigation Specialist American Logistics Aid Network
- President World Food Programme
- Regional ICT officer for USA
- Central and Latin America Int'l Procurement Agency .
- Director of Operations Canadian Red Cross ۲
- Senior Logistics Officer Jon Snow, Incorporated
- Procurement Specialist International Medical Coros Logistics Officer
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9%

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- Procurement Officer Millennium Challenge
- Corporation Manager, Strategic Initiatives UNOPS 5
- Outreach/Partnerships Advisor
- USAID Senior Counselor and Chief Innovation Officer DAI
- Strategic Sourcing Manager

Visitor breakdown NGOs and UN 38%

Exhibitors 14% Corporate visitors 26% University/Education Government bodies Development banks

9% 2%

Embassies 1% Other 16%

To find out more about exhibiting at this year's event, please complete the enquiry form, email us at dfent@aidforumonline.org or call us on +44 (0) 207 871 0188 quoting ref 'ISOA15'

WHY EXHIBIT AT AIDF?

AIDF provides a number of different opportunities to showcase your organization including:

In addition to superb branding, sponsoring or exhibiting at AIDF creates invaluable networking opportunities with unparalleled access to diverse and influential attendees.

Each year, some 1,400+ delegates attend Conference and Workshop sessions led by well-known speakers. This year we have representatives from WFP, USAID, Aidmatrix, AED, International Relief and Development, InterAction, Save the Children and the World Bank amongst others.

Whether your objectives are to increase sales, launch new products, improve brand awareness or meet with new and existing customers. exhibiting at AIDF helps your company achieve this and much more.

AIDF AND ISOA

AIDF are once again partnering with ISOA to bring you preferential ISOA member rates. ISOA have been instrumental in shaping the agenda as Expert Advisors and Doug Brooks, President ISOA will also be speaking at the event.

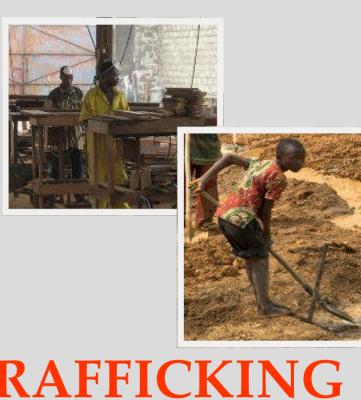
"AIDF has become a must-attend event that has given innovative firms an opportunity to show how their products and capabilities can further the ability of the global community to address large-

Doug Brooks, President, ISOA

FEATURE

Combating





G LOBALIZATION—the catchword of the past decade—has had a tremendous impact on businesses of all sizes and the people who make a living working for those businesses every day. This high demand, fastpaced operating environment has innumerable positive effects for people living all over the world. At the same time, however, it creates conditions where the most vulnerable people across the globe are susceptible to modern forms of slavery and are made to suffer.

In places riddled with poverty, conflict and disaster, those susceptible populations are at their most desperate, and subsequently most at risk for human trafficking. Organizations conducting business or leading projects in these areas must keep a watchful eye on their operations to ensure that their business practices work to fight against the problem, not contribute to it. Compliance mechanisms and careful attention to supply chains are paramount as global efforts to combat labor trafficking make much-needed progress towards eliminating contemporary forms of slavery.

In the conflict context, Free the Slaves provides an often overlooked point of view in their exploration of the role of human trafficking in contributing to the continuation of conflict. In the midst of the now infamous conflict in the DRC, human trafficking plays a large role in keeping instability alive. In this mineral rich country, laborers face harsh conditions and little knowledge of their rights as they toil against their wills.

Sindhu Kavinamannil and Kimberly Vinci do not direct their lens at the areas where the trafficking is happening every day. Instead, they focus on the contracts that bring third country nationals in to these nations, and often create an environment that is at risk for trafficking. They argue that the U.S. government requires far more attention and oversight to its own contracts, under which trafficking violations are often reported by investigative journalists. If the U.S. is to continue helping others around the world, with an "American" set of values, then the USG must clean up its contracting act, and fight labor trafficking more staunchly.

However, in 2009, the U.S. government, was recommitted to fighting human trafficking by newly elected President Obama. As a granter of funding for development projects all over the world, **USAID** has taken measurable steps to address the problem. The Actions to Combat Trafficking-in-Persons program (ACT) is their four-year initiative that began in 2009 to reduce trafficking in men, women, and children in Bangladesh, and they are excited to report great success.

Laura Lederer focuses on another—much larger—U.S. agency, the Department of Defense. She points out that since 2009, DOD has developed an impressive set of programs, tailored to various theatres, to address cases of both sex and labor trafficking. However, weaknesses still exist and trafficking problems are continuing to be reported. She provides information from the latest reports and guidance on the issue for prime and sub-contractors, and recommendations for DOD to improve their efforts to battle trafficking in contingency contracting.

So what about the private sector? **Tristan Forster** of FSI Worldwide provides a much-needed view from the stability operations industry. He points to the undeniable importance of supply chain management to ensure that labor trafficking is stopped before it starts. His advice to the private sector: insist, invest, inspect. His advice to the public sector: create contracting processes that mitigate the risk for trafficking. Strengthening the partnership between the public and private sectors will make victory in the battle against all forms of human trafficking and contemporary forms of slavery that much more achievable.

Cover Photo: Graphic created by Jessica Vogel. Photo Credits: Left-Benzene Mohamed Aseel Hassan, Flickr; Center-World Resources Institute; Right-Enough Project.

Free the Slaves

Slavery Undermines Security in Democratic Republic of Congo

The Role of Trafficking in Continuing Instability



OU may have heard of "conflict minerals." They are valuable metals mined by armed groups to generate income for their troops and military operations. A global spotlight has been aimed at conflict minerals coming from the Democratic Republic of the Congo (DRC), popularly regarded as the deadliest spot in the poorest continent on Earth. Millions have died during the conflict between warring rebel militias and the national army.

What you may not know is that modern-day slavery is a major part of the problem. At stake in the DRC conflict is more than the nation's vast mineral wealth. Also at stake is control of the slaves who are forced to work in the mines. Slave labor fuels the fighting and prevents Congo residents from building better lives.

Active military conflict makes things worse, when armed groups battle for control of lucrative mining sites. But the quest for illicit profits won't end when the shooting finally does. Congolese communities need resources to avoid all forms of slavery and to develop alternative livelihoods that don't rely so heavily on mining. Lasting peace and prosperity cannot take root in the DRC while villagers are trapped in slavery at mines.

It is essential to recognize the correlation between enslavement and poverty, insecurity, impunity and an absence of rule of law, lack of education and information, and the absence of rights-based norms.

Free the Slaves teams have been working on the ground in eastern DRC to uncover the extent of slavery, and to develop ways to end it. Investigators have discovered several forms of modern slavery in eastern DRC, including:

• Slavery at gunpoint. Villagers are rounded up by armed groups and marched to mines.

Factory workers in the DRC. Credit: World Resources Institute, Flickr

- Debt bondage slavery. Money, food or tools are advanced to laborers, but bogus accounting and abusive interest rates prevent them from repaying the debt. Miners are forced to keep digging.
- Sexual slavery. Militias and the army abduct women and girls from villages. Some are lured to mining zones by false promises of financial support.
- Peonage. False criminal charges are made against a person, who will be sentenced in a corrupt or phony trial to toil at the mines.
- Child soldiering. Children are forced into the ranks of armed groups that control mining zones.

There is no doubt that this is slavery, commonly defined as: the control of people using violence or the threat of violence to extract work or sexual exploitation; a radical diminution of free will; intentional coercion to make the victims believe they cannot walk away; and no pay beyond subsistence, if that.

Armed groups are the principal perpetrators, but they are not alone. Civilian middle managers, moneylenders, brothel owners, and even parents

This article is adapted from "The Congo Report: Slavery in Conflict Minerals," published in June 2011 by the Washington-based anti-slavery nonprofit organization Free the Slaves. The full report and a short documentary video of child slaves describing conditions at DRC mines can be seen at www.freetheslaves.net/congo.

in some cases, are also responsible for these modern forms of slavery. There are widespread reports of collusion between rebel groups and the national army to illegally exploit, tax, and trade minerals, money and arms. Minerals mined in areas controlled by armed groups pass along the supply chain with unreliable, falsified, or simply nonexistent documentation. Military and civilian authorities are often unable, or unwilling, to fulfill their most basic regulatory responsibilities. Many are preoccupied with extorting illegal "taxes" along trade routes and at checkpoints.

After mining, these tainted minerals enter a complex supply chain that stretches around the world. The minerals coming from the DRC are know as the "Three Ts" (tin, tungsten and tantalum), as well as gold. Most of these minerals leave the DRC illegally and are then sold to smelters in Asia and Europe. Having been smelted, refined and processed, the minerals are incorporated into components such as capacitors, resistors or solder, to be used in the assembly of a range of products from portable consumer electronics to medical devices and advanced aeronautics. After passing through brokers, wholesalers, and retailers, at the end of this supply chain are the consumers. The buyers of goods like cell phones, cars, and light bulbs unintentionally fuel the conflict and underwrite modern slavery and the worst sexual violence in the world.

In addition to the constant threat posed by the lawlessness of the armed groups, inhabitants of the mining zones face numerous threats to their health and personal safety. Miners work without basic equipment and suffer landslides, cave-ins of shafts, and asphyxiation. Malnutrition, exhaustion, physical trauma, poor sanitation, lack of medical treatment, and no clean water supply mean that public health concerns are equally high. The intense crowding—enslaved miners are sometimes forced to sleep jammed together in the mine shafts—means that infectious diseases are rampant.

Informants disclosed that living and working conditions in the mines controlled by the FARDC (DRC's national army) are as poor as those in mines controlled by the FDLR (a militia led by Rwandan Hutu rebels originally formed by Rwanda's génocidaires) and other armed groups.

In pointing to potential solutions, it is essential to recognize the correlation between enslavement and poverty, insecurity, impunity and an absence of rule of law, lack of education and information, and the absence of rights-based norms. Addressing these structural dimensions requires adopting a holistic approach. When combined with efforts to address needs such as land tenure reform, security sector reform, accountability, good governance, and education, mineral extraction could fuel prosperity instead of conflict.

Needed improvements to the minerals trade include: the formation of workers' associations that would give workers a greater voice; information about workers' rights; increased transparency throughout the supply chain; creation of trading centers closer to the mining sites; and accountability for government officials charged with regulating the trade. Community members cited various ways of improving access to alternative livelihoods, including vocational training centers and micro-credit programs, and facilitating the return to agricultural and animal husbandry practices. Access to schools was also identified as a need in these communities. Some communities particularly insisted on alternatives

women and for girls, who are otherwise highly vulnerable to slavery and sexual violence once being lured into the commercial sex trade for survival.

Specific recommendations for other actors

DRC national government:

- End impunity for modern slavery by enforcing laws, using both the military and the civilian justice s y s t e m , i n c l u d i n g through mobile courts.
- Reform the Congolese army, and prevent army

and armed group control of mines.

- Continue to introduce transparency into the mining sector, including through the positive initiatives of the International Conference on the Great Lakes Region. Protect artisanal miners from exploitation and slavery and implement licensing mechanisms for them, allowing them to benefit from their labors.
- Remove children from harmful work in the mines and ensure the provision of free primary education in mining communities as elsewhere.
- Support rights-based community development efforts that will sustainably protect mining communities from slavery and other human rights abuses.

U.S. government:

 Acknowledge your influence over Congolese and neighboring governments and make it a high priority to wield that influence so that they fulfill the recommendations above,

10



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◄ 9 | Feature | Slavery Undermines Security in Democratic Republic of Congo | Free The Slaves

amongst their other obligations to Congolese citizens. Appoint a Special Envoy to the Great Lakes Region to stay constantly informed and maintain consistent diplomatic pressure throughout the region.

- Continue to support efforts to introduce transparency into the mining sector, including support for a federal bill requiring U.S.-based companies to disclose publicly their policies to address risks of slavery in their supply chains and other business operations.
- Support rights-based community development efforts that will sustainably protect mining communities from slavery and other human rights abuses. In particular, consult with local communities to determine their priorities, which may include access to education, support for forming true mining workers' associations, and developing alternative livelihoods such as agriculture. Incorporate an understanding of slavery into the design of development and humanitarian assistance programs in mining communities.

U.N. peacekeeping operation (MONUSCO):

- Continue efforts to introduce transparency into the mining sector.
- Deploy peacekeepers to protect civilians effectively throughout eastern Congo, including in mining zones that are being set up as pilot sites for legal and transparent conflictfree mineral trading.
- Prioritize the monitoring and reporting of modern forms of slavery within your Human Rights and Child Protection sections, ensuring that all staff are well-informed about relevant international and Congolese laws. Maintain pressure on the Congolese government to respond to these abuses.
- Make it a high priority to wield your influence over Congolese and neighboring governments so that they fulfill the recommendations above, amongst their other obligations to Congolese citizens.
- Donor governments, international agencies, international financial & developmental

institutions:

• Continue your efforts to support transparency in the mining sector.

• Support rightsbased community development efforts that will sustainably protect mining communities from slavery and other human rights abuses. In particular, consult with local communities determine their to priorities, which may include access to education, support for forming true mining workers' associations, and developing alternative livelihoods such as agriculture. Incorporate a n understanding of slavery into the design of development and humanitarian assistance programs in mining communities.



Child Miners in the Eastern Congo. Credit: Enough Project, Flickr

 Make it a high priority to wield your influence over Congolese and neighboring governments so that they fulfill the recommendations above, amongst their other obligations to Congolese citizens.

Multinational companies and end-users of DRC minerals:

- Continue efforts to introduce transparency into supply chains.
- Adopt due diligence policies that address risks of slavery within supply chains while maintaining engagement with the Congo mining industry and contributing to remediation of the problems of slavery and conflict minerals at the source in Congo.
- Create industry-wide support for rights-based community development efforts that will sustainably protect Congolese mining communities from slavery and other human rights abuses, in acknowledgment that these communities have been devastated by activities that have contributed to company profits for more than a decade.

The exploitation of slaves to extract DRC resources isn't new. It was widespread during the colonial rule of Belgian King Leopold II in the early 1900s to harvest rubber and ivory. But concerted international pressure brought that era of slavery to an end. A similar effort today can wipe out slavery in the Congo again.

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Sindhu Kavinamannil and Kimberly Vinci

Slave Labor to Support US Contracts

Fraud, Manipulation and Indentured Servitude



These men were not trafficked, but are local nationals serving in the Civil Service Corps in the village of Omar Khatab, Iraq. Credit: United States Forces- Iraq, Flickr

UMAN trafficking on US government contracts in the Central Command ('CENTCOM'') sector is chronic, overt and unabated. The appalling fact that hundreds of thousands of men have been used as slave laborers to support "freedom" operations is not lost upon the victims.

Investigative journalists reporting of widespread human trafficking of laborers on US government contracts in CENTCOM date back to 2004. The New York Times reported the too common fraudulent recruiting scheme that began in 2003 when contractors first started trafficking men to perform services on government contracts. The Chicago Tribune also covered human trafficking in 2005, calling out the use of US tax dollars to provide slave labor during wartime. Articles in USA Today have reported labor trafficking abuses of Asian workers in Saudi Arabia as well as forced labor of Thai workers in the United States, considered "the nations biggest human trafficking operation".

Personal investigations both on the ground in Iraq

and in conducted interviews of victims who have returned to the Indian subcontinent, have produced conclusions consistent with other investigative journalists. Other investigative journalists such as David Phinney and reporters who have been on the ground, observed the practice and interviewed thousands of victims have also highlighted this blight on our national image. In fact, the only thing parties agree upon is that the practice is prolific, unabated and contrary to the very foundation and core of American values.

If everyone knows about it, why has it never been stopped?

Indentured Servitude, an Enduring Contingency Contracting Institution

The broad and credible coverage of human trafficking on US government contracts amounting to slave labor begs the question: If everyone knows about it, why has it never been stopped? The continued practice of modern day slavery on US government contracts cannot be attributed to a lack of Congressional interest or

inaction, given that several Congressional committees have conducted hearings on the subject. To date, Congress has passed some 19 pieces of legislation and prompted implementing regulations to combat the practice. The focal problem seems to be apathetic agencies in Washington that do not take action and preventative measures to stop the traffickers. Fortunately, that position appears to be shifting toward decisive action in an affirmative direction.

The Fraud Process

Although the names of the victims, recruiters and contractors change, there is a consistent business model used to defraud workers from developing nations to work on contracts and as a result become indentured servants to US government contractors and subcontractors. Our research has identified the following steps used to implement the fraud:

- Subcontractor/Prime contractor establishes direct contact with a recruiting company in the developing nation. The purpose of the personal contact by the subcontractor is to solidify the kickback scheme.
- Arrangements are made for the contracting company to pay the recruiter for the services of recruiting, i.e. airfare to site, VISA and fees.

Sindhu Kavinamannil is Chief Executive Officer of Compliance Consulting Services with extensive experience in Kuwait and Iraq. Contact Sindhu at Sindhu.p.k@compliance-matters.com. Kimberly Vinci is the Programs Associate at International Stability Operations Association. Contact Kimberly at vinci835@gmail.com.

11| Feature | Slave Labor to Support US Contracts | Kavinamannil and Vinci

- The contractor and recruiter also agree to the amount of the kickback paid to the contractor for giving the recruiting firm the business. This kickback is typically 50 percent of the money charged by the recruiter to the prospective employee. (This conduct constitutes a violation of the Anti-Kickback Act of 1986.)
- Recruiter retains the services of subagents to solicit victims. This process facilitates the layering or onionskin affect in order to provide plausible deniability up the trafficking chain.
- The recruiter will solicit victims from farming villages who are typically without access to resources. This category of victim is also less sophisticated concerning the fraudulent techniques used by the recruiters.
- The recruiter deceives the victim into believing he will receive money far beyond that which he will actually earn. And often times but not

always, the location of the worksite is misrepresented.

- The recruiter's agent informs the victim that he will need to pay a fee, usually between \$2,500 and \$5,000, in order to get the "well paying job with good working conditions" servicing the US government. This action induces the victim to pay the high recruiting fee and will help ensure future compliance with the contractors because the victim will become indebted in order to pay the commission to the recruiter.
- Victims will typically obtain the money from a local loan shark or use their house or dowry gold as collateral. The interest on the loan is between 35 and 45 percent. The money paid to the loan shark must be provided to the recruiter/subagent prior to departure for the worksite.
- Workers are not provided a written contract prior to their departure from the host nation.



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If they do receive an agreement once they arrive at the worksite, it will not be written in a language they can read.

• Once the victim arrives in the combat zone, he is typically housed for several months without pay and not permitted to call his family. When he does receive his first work and pay, it is typically 50 percent of what he was promised by the recruiter. He tells his employer what recruiter the promised, but the subcontractor/ prime informs him that it is a matter between the worker and the recruiter.

By this time, the worker has missed monthly payments to the loan shark, and he now pays approximately 50-75 percent of his monthly wages just to service the interest on the loan. Even though he now knows he was deceived, he is helpless. If he speaks to anyone with the government, he will be terminated immediately and sent home. This is significant of the practice by the prime contractor who instructs its employees that they are forbidden to inquire or report trafficking conditions of subcontractors, thereby completing the conspiracy of silence and mitigating detection of the crime. Furthermore, the victim cannot quit because he has the outstanding loan due to the loan shark. He must remain, working 12-hour days, 6 to 7 days per week in the combat zone. By the time he completes two or three years, if not killed first, he has still not retired the debt. He is an indentured servant to the US government contractor.

As Representative Connolly stated at the March 29, 2012 hearing, "This is not just any housekeeping matter. This is about the preservation of human autonomy," reaffirming indication that the practice is prevalent and the victims are real. On multiple occasions, my investigations have produced instances of victims returning to their homes, destitute, still in debt and facing a life of despair where the developing nations provide no safety net, no social security system or provisions for the poor. When faced with this level of desolation, some have chosen to take their own lives and occasionally the lives of their families.

While interviewing returning victims in the state of Tamil Nadu in January of this year, another tragic effect of the fraudulent recruiting practice was observed. Some of the men told me of a fellow villager, Anthony (the actual name is altered out of respect for his family) who paid the illegal recruiting fee of \$2,500 in order to work on the US government contract in the Persian Gulf. Shortly after Anthony's arrival in Iraq, (his colleagues said he thought he was getting a job in Dubai) he was determined to be unsuitable for work. Consequently, he was terminated and sent home. In order to pay the illegal recruitment fee, Anthony had persuaded his parents to allow the family home to serve as collateral to the village loan shark. When he returned and was unable to repay the loan shark, the family's belongings were tossed on the side of the road and they were

20

USAID

Fighting Modern Day Slavery

USAID's ACT Program in Bangladesh



HE opportunity was too good to pass up. Shantos was 20 years old when a group of men came to his village in Bangladesh. They promised him a job in India, a little less than \$100 for 50 days of work as a mason. He believed them. It was only after leaving home that he realized what was going on. He came back scared and desperate, but wiser, after 28 months in an Indian jail, arrested after he could not produce his passport to a local police officer.

For Sonaly, who was only 16 when she was sold to a brothel, there was no place to come home to.

Fatema, at 22, was locked up in a room and tortured for 14 days before she found the courage to escape.

With USAID's help, Shantos, Sonaly, and Fatema, three victims of human trafficking, have found new lives. Human trafficking is today the third most profitable crime in the world after illicit drug and arms trafficking, resulting in an estimated \$30 billion to \$32 billion in profits worldwide each year.

Find out more about USAID's anti-trafficking efforts worldwide at http://www.usaid.gov/our_work/ democracy_and_governance/technical_areas/trafficking Since 2005, USAID and the Government of Bangladesh have collaborated to address human trafficking on two fronts: by preventing it and by alleviating the suffering of its victims.

Bangladesh is a major source and transit country for men, women, and children subjected to both forced labor and sex trafficking.

Bangladesh is a major source and transit country for men, women, and children subjected to both forced labor and sex trafficking. Men typically are fraudulently recruited to work overseas, especially to the Middle East and Gulf countries, and are subsequently exploited under conditions of forced labor or debt bondage. Bangladeshi children and women are trafficked for commercial sexual exploitation, domestic servitude, and forced labor. For the past three years, Bangladesh has been included on the Tier 2 Watch List in the Department of State's Annual Trafficking in Persons (TIP) Report. Under State's tier placement system, rankings are determined based on the extent of a government's actions to combat trafficking: Tier 1 signifies the highest degree of government action, and Tier 3 is the lowest ranking. Countries on the Tier 2 Watch List, like Bangladesh, are those whose governments do not fully comply with the minimum standards of the U.S. Government's Trafficking Victims Protection Act, but are making significant efforts to comply.

Protection and Prosecution

In Bangladesh, USAID's anti-trafficking program is implemented by Winrock International under the Actions to Combat Trafficking-in-Persons program (ACT), a four-year initiative that began in 2009 to reduce trafficking in men, women, and children in that country. "The ACT program's prevention efforts focus on protection and prosecution. The program works with government institutions to identify and prosecute perpetrators, empower survivors of trafficking and those at risk, provide viable economic alternatives to unsafe internal and cross-border migration, and expand public awareness and prevention efforts to include labor migration abuses and victimization of men," said Habiba Akter, USAID/Bangladesh's human rights and

14

13 | Feature | Fighting Modern Day Slavery | USAID

rule of law adviser, who manages the ACT program.

Still, the legal and justice systems need updating. Cases of human trafficking are seldom filed, and perpetrators are rarely sentenced for their crimes. In addition, the existing legal framework on trafficking ignores labor and internal trafficking, and acknowledges only women and children as potential victims. Sometimes law enforcement agencies prefer not to file a trafficking case due to mandated investigation timelines. Out-of-court settlements between perpetrators and victims' families also hinder prosecution.

Since 2009, USAID's ACT program has been working closely with the Government of Bangladesh to develop a comprehensive gendersensitive, national anti-trafficking law and action plan on trafficking. The draft version of the law, with expected parliamentary passage in January 2012, is endorsed by Prime Minister Sheikh Hasina and her cabinet, an indication that the government is committed to preventing trafficking and punishing those convicted of the crime. An action plan for 2012-2014 is under development, and will guide monitoring to combat human trafficking in the country. "The anti-human trafficking act has been enacted in conformity with the Women and Children Repression Prevention Act, 2000 [that includes capital punishment]. The other punishment for human trafficking will be a life term or a fine of BDT 500,000 (\$6,756) or both," said Abul Kalam Azad, the prime minister's press secretary, quoted in local media.

Messaging Blitz

On a local level, the ACT program has reached out to more than 90,000 people with antitrafficking and safe-migration messages through school campaigns, media, and posters. ACT has coordinated with MTV's EXIT Campaign (End Exploitation and Trafficking), which also is supported by USAID, and launched SOLD in November 2011, a documentary that aims to raise awareness of human trafficking nationwide.

Another short film, Echo: Survivor's Voice, which launched on the same day as SOLD, documents the stories of 15 migrants who are victims of human trafficking. Bangladesh's minister of home affairs attended the premiere in Dhaka, along with representatives from the Ministry of Labor and Expatriate Welfare and the Ministry of Women's and Children's Affairs.

A Fresh Start for Survivors

For survivors, USAID's program focuses on empowerment. Although the campaign is young, many former victims have already become activists and are increasingly speaking out about their experiences. Past victims are participating in awareness-building activities to prevent trafficking and to support the reintegration of victims into society.

ACT supports four shelters for human trafficking survivors that offer comprehensive psycho-social, medical, and reintegration assistance. To date, ACT has supported over 1,100 survivors and successfully reintegrated over 900 of them into their families and communities in Bangladesh. "Successful reintegration is a systematic process rather than just handing over to the family," said Sharmen Shahria Ferdush, a staff member at an ACT-supported shelter in Jessore. "We are keeping in mind that survivors' choices, expectations, socio-cultural context, security are more important for reintegration. We are preparing survivors to make their own decisions and simultaneously sensitize the community to change their attitude towards survivors."

And Shantos? Sonaly? Fatema?

After his return from India, Shantos enrolled in the ACT program and received counseling and life skills training to regain his self-confidence and plan for his future. He also received training to



Bangladeshi worker. Credit: Winrock International.

become a local medicine shop worker. After working as an intern, he now has his own shop but volunteers regularly to raise local awareness on the risks of human trafficking. "Being poor, I dream of supporting the disadvantaged and poor, but, unfortunately, I became a victim of trafficking and can't interact with all people in my community," said Shantos, now 22. "Now, people of my village come to me for help when they face a health problem, and I can help by sending them to the right person at the right moment."

Sonaly was rescued from the brothel and brought to a shelter. There, she received personal counseling and learned to live more independently. She also learned to operate a sewing machine and how to repair mobile phones. Now she sews shopping bags for an NGO while completing an internship in a mobile phone service shop.

Fatema is back home, working as a seamstress. Her designs are popular with the people in her village, and she hopes to exhibit them soon at a showroom in town. She would like to set up her own shop and is saving money to get it started. No longer a target for humiliation and jokes, she stands proudly, wearing her own designs.

For each Shantos, Sonaly, and Fatema, there are thousands more survivors able to turn a new page in their lives due to USAID's anti-trafficking efforts worldwide. "In our development programs, USAID is tackling the conditions that enable the trafficking of humans, such as barriers to education and job opportunities, ethnic and gender discrimination, weak rule of law, and the drivers of conflict and corruption," wrote Sarah Mendelson, deputy assistant administrator in USAID's Bureau for Democracy, Conflict and Humanitarian Assistance, in a recent post on USAID's Impact Blog. "Since 2001, USAID has worked in 70 countries to prevent trafficking, protect victims, and prosecute perpetrators."

Added Alexious Butler, director of the USAID/ Bangladesh Democracy and Governance Office: "We will continue to work to ensure that both the government and the local people hear and understand the voices of those affected by human trafficking and take actions to end this modern day slavery."

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Laura J. Lederer, J.D.

Insuring Freedom While Defending Freedom

Addressing Slavery & Slavery Like Practices in Defense & Defense Contracting Industries



Expatriate workers slaving away under the burning Maldivian afternoon sun in Male', Maldives. Credit: Hani Amir, Flickr

S the last ten years of U.S. Government Trafficking in Persons Reports have illustrated, human trafficking is a complex issue. Around the world, millions of people continue to be trafficked into and trapped in modern day forms of slavery. From forced labor to commercial sexual exploitation to child soldiering to organ trafficking, governments struggle to identify and rescue victims, and to put in place legislation, policies, and practices that address the problem. In the U.S., the Trafficking Victims Protection Act of 2000 (and the Reauthorizations in 2033, 2005, and 2008) has become a model for a comprehensive twopronged approach that punishes the perpetrators and protects and assists the victims. The law created the first government infrastructure for inter-agency collaboration in its President's Interagency Task Force on Trafficking. It insures that each U.S. government agency that plays a vital role in combating human trafficking develops a strategic plan and coordinates with other U.S agencies.

The U.S. Department of Defense is part of the President's Inter-Agency Task Force. Over the course of the last ten years, since the passage of our law, DOD has developed an impressive set of

Although much has been accomplished over the last decade, new allegations of labor trafficking have arisen.

programs, tailored to various theatres, to address cases of both sex and labor trafficking. These programs came in response to high profile cases of alleged sex trafficking in US peacekeeping forces in Bosnia, U.S. military involvement in labor trafficking in Iraq, and alleged U.S. military participation in and guarding of brothels in South Korea. In response, the U.S. DOD amended the UCMJ, adding a new statute prohibiting patronizing a prostitute (Article 134 601 subsection 2); created a new services-wide training on trafficking persons, and set up an office to address particularized problems of trafficking in the DOD. Although much has been accomplished over the last decade, new allegations of labor trafficking have arisen during the last several years. The focus recently has been on the procuration and contracting processes, which are complex, with sometimes dozens of transactions in the supply chain. As one NGO has noted, human trafficking in this context is typically the result of a series of hidden practices, complex pressures, abuses and exploitation. These transactions are commonly levied not by a single contractor but by a number of bad actors at each stage of the recruitment, hiring and employment process, and at many levels in the labor supply chain. The research shows that:

 At the prime contractor level there may be compliance with DOD requirements and regulations, but primary contractors subcontract, usually with sophisticated companies in the Middle East or Europe; these companies in turn sub-contract to recruiting firms in countries in South Asia. These firms may or may not be licensed recruiters. Though DOD has developed clear guidance on the law, at these sub and sub-sub contractor levels there is little or no knowledge of the law and little or no compliance. Unlicensed recruiting firms

Laura Lederer is former Senior Advisor on Human Trafficking to the Under Secretary for Global Affairs (US Department of State) and the former Executive Director of the inter-agency Senior Policy Operating Group on Trafficking in Persons, that advises the President's Inter-Agency Task Force on Trafficking (2002 - 2009).

Feature | Combating Labor Trafficking

15 | Feature | Insuring Freedom While Defending Freedom | Lederer

may consciously flout the law. Since no country, including the U.S., has adequate monitoring, oversight, or transparency, our Department of Defense continues to be damaged by non-compliance.

- At the sub and sub-sub contract levels recruiting companies often get paid at both ends of the contract – from the prime contractor who needs the labor, and from the laborer (or labor recruiter);
- The recruiters promise more than living wages but do not deliver on the promise;
- The recruiters charge compound interest, which increase exponentially over the months; to the laborer's "wages;"
- The recruiters add illegal wage deductions and unexpected fees to the laborer's "wages;"
- Workers need jobs so badly that they will mortgage houses, sell all assets, and borrow heavily just to obtain the work; hence they often arrive at the job already deeply in debt bondage;
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- Upon arrival at the job, workers are asked to surrender their passports so that they will not complain or flee;
- Many countries have labor codes that allow recruiters and contractors to tie the worker to their employer, giving them no other alternative way to dig themselves out of debt;
- Workers live in sub-standard conditions as many as 30 or 40 to a room, sometimes with only one meal a day, inadequate protective clothing, no medical assistance, and no way to contact anyone who could help;
- Workers are bound to a code of silence and threatened with loss of job or other problems (debt bondage, families threatened back home);

Department of Defense issues guidance to all contractors. DOD also has a set of federal regulations by which contractors must abide. So why does this practice continue? Shouldn't the law, the guidance, and the regulations be enough? Unfortunately, it is not. Until the DOD develops

a methodical approach, with assessment and audit tools and mechanisms to ensure compliance along the entire labor supply chain, it will continue to experience egregious human errors.

DOD has responded quickly and efficiently human when trafficking has been found in DOD labor contracts, taking measures to address particularized problems, but to date, DOD's response has been largely reactive. DOD must now develop a systems improvement plan that includes corrective measures, and creates preventive measures to proactively address practices that can lead to trafficking or forced labor for migrant workers.

DOD should develop a comprehensive systems improvement plan to address the policies and practices of contractors, sub-contractors, and laborers that contribute to the problem. A comprehensive systems plan would work with Central Command to assess the continuing problems and create a program of action. This would include:

- Meeting with NDIA to put professional association on notice of coming changes
- Individual meetings with 5 10 largest DOD contractors to present a new plan and compliance requirements for the plan.
- Creation of a set of training materials for prime contractors; sub contractors and laborers, utilizing new technologies, including ad campaigns, webinars, 3 minute "docu-dramas, "sizzle reels," and down-loadable trainings on smart phones;
- Development of monitoring and assessment tools that follow the labor supply chain from the DOD procurement contract to the individual laborer (and all "middle men" in between;
- Creation of "best practices" manual for prime and sub contractors, including hotlines for reporting abuses, SMS text projects for communication with laborers; specialized spot checks and other monitoring devices;
- Creation of evaluation process, including interviews with labor recruiters, managers, workers, prime contractors

To successfully combat human trafficking in its various theatres, DOD needs teams of trained experts, who understand the nature and scope of human trafficking; speak the languages of the region from which laborers are being recruited, the languages of the country in which DOD is stationed; as well as languages of recruiters, sub contractors and others. They need to bring in specialists with international reach, subject matter expertise in supply chain analytics, anti-money laundering and clandestine banking, illicit networks, and anti-human trafficking, including past and current specialized and sensitive human trafficking data analytics project for the US government and extensive experience in the particularized labor trafficking problems within the U.S. military, private contractors, and large subcontractors. This capacity will allow the DOD and its prime contractors to make tangible and lasting progress in addressing human trafficking.

Tristan Forster Heroes and Villains

Policing Labor Supply Chains



Bangladeshi migrant workers, listening to the instructions and orientations in Bangladesh. Credit: Sebastien Dechamps, Flickr

HE PROBLEM: Inadequate oversight of the recruitment and management of migrant workers, combined with exploitative practices of labor brokers in the developing world, continue to result in human trafficking, debt bondage, forced labor and other systematic labor abuses among TCN personnel employed by US (and other) contractors. The U.S. State Department Trafficking in Persons (TIP) Report has consistently highlighted the widespread manifestations of illegal and unethical recruitment, including charging fees for employment, misrepresentation of the terms and conditions of engagement, withholding wages, the confiscation of passports and other personal documents and the intimidation, coercion, physical abuse and, in extreme cases, killing of workers and their families.

Most migrant workers from developing countries have been recruited through a corrupt network of agents and fixers. Such workers are routinely required to pay large fees (often as much as a year's wages) to labor brokers in their country of origin. As many of them are unable to pay such large amounts of money, they take out loans, usually at usurious rates of interest, from the manpower agents. This debt is used as leverage to exploit recruits for years to come. As a result, the recruits arrive at the project location already demoralized, knowing that they face years of hard work, not to benefit their families, but to deliver huge illicit profits to the manpower companies and their agents.

The obvious villains of this piece are the corrupt recruitment companies profiting from the misery of their countrymen. However, there are also many contractors, the ultimate employers of the migrant workers, who are aware of these divisive and illegal recruitment practices and are complicit in the abuses. In the worst cases it has been known for HR personnel employed by prime contractors to take large bribes from corrupt labor brokers to keep using them for recruitment. Where does the money come from to pay these bribes? Not from the profits of the recruitment agents but from the already indebted workers.

The practice of manpower companies selecting recruits based on their willingness to pay bribes and be bonded, rather than on merit, means that the quality of personnel provided through the 'traditional' system is usually very low. Also the powerful and malevolent influence exerted over the recruits during their time on the project results in a downward spiral of productivity and morale. This leads to a situation where staff turnover is very high and the service delivered to the customer very poor. The resulting cost in both financial and reputational terms can be very significant and the devastating impact on the already poor workers is clear.

THE SOLUTION:

The Role of Government in Combating Labor Abuses

Whilst there has been significant progress at the policy level in designing legislation to combat the exploitation of TCNs, Governments equally need to ensure that their contracting processes provide for the payment by contractors of reasonable recruitment, welfare and management fees for their TCN recruiters. If you are not paying your recruiter, someone else is, and that someone is the recruit. Governments must also allow for fair salaries to be paid to TCNs rather than driving contractors to seek ever cheaper labor pools with the associated reduction in the quality of service

18

Tristan Forster is the CEO of FSI Worldwide. FSI is an industry leader in the field of Ethical Manpower Provision (EMP), which is designed to combat bonded labor among migrant workers. FSI was awarded a special commendation at the End Human Trafficking Now Business Leader Awards for their initiatives in this regard.

◀ 17 | Feature | Heroes & Villains | Forster

and personnel and resultant TIPs issues.

The practice of 'fixing' minimum TCN salaries for particular roles is an obvious and well proven tool for the protection of TCN workers. Such contracting initiatives have the collateral benefits of ensuring quality and continuity of service particularly important on projects where TCNs are being employed as armed security personnel. The British Government has gone a step further in ensuring the protection of their TCN staff through the extension of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), which protect employees if the contract on which they are employed changes hands between contractors. This further encourages quality and continuity and vastly reduces the costs and operational friction associated with the changeover of TCN workforces and minimizes TIPs abuses by recruitment subcontractors.

Advice for Private Sector Actors

While government policy is an important part of the solution the real Heroes of our story are the relatively few private sector actors who have fully embraced the productivity and reputational benefits of ethical recruitment. These companies have taken a robust position on corruption and properly implemented plans and audits to protect their work forces and supply chains from Recent and ongoing changes in corruption. legislation, that make prime contractors more directly liable for abuses in their supply chains, combined with a growing acknowledgement that ethical recruitment can deliver bottom line benefits, has led to more companies investing in the ethical recruitment and expert management of their TCN personnel.

FSI has a particular focus on providing solutions and practical advice for companies operating in this field. The FSI toolkit for companies committed to removing bonded labor and other abuses from their supply chains, describes three high level actions to achieve success these are; INSIST, INVEST and INSPECT.

INSIST

Companies must establish a firm set of ethical principles and demand that these are resolutely adhered to by all staff and subcontractors. As a minimum these policies should embrace the key worker protections required by ILO Convention 181 which include: (i) a commitment never to allow recruiters to charge candidates fees.

(ii) a commitment to paying a fair wage. Low TCN wages cause serious discontent among workers, constant labor issues and the recruitment of personnel who are not appropriate for such employment. Such low salaries also encourage labor abuses by recruitment companies including; the false representation of contract terms, the use of forged documentation and restricting the free movement of personnel through the common practice of bonding and holding passports thus preventing workers taking other employment.

(iii) A commitment to support the welfare of the candidate during his/her employment including ensuring reasonable time for rest, personal administration and training. Government and private sector, commercial contracts often stipulate working hours of personnel and in some cases the work/rest routine for TCN personnel is neither humane nor sustainable. As an example, a 12 hour guard shift, 6 days a week does not allow an armed security guard in a high threat environment sufficient time for rest, personal administration and continuation training - this is a common work rotation currently being imposed on TCN guards on various high profile contracts in high threat environments and it is putting personnel under unacceptable physical and mental stress. The result is the provision of suboptimal security due to personnel being too exhausted to be vigilant.

Companies should also become signatories to The Athens Ethical Principles, a voluntary business code to address human trafficking and related exploitation and become members of the End Human Trafficking Now Movement which provides advice and assistance to companies committed to combating trafficking.

Companies should also seek expert assistance to conduct searching audits on all aspects of TCN recruitment and management. Look out for 'cosy relationships'. Don't allow kickbacks or cronyism. Publish your policy widely and ensure that you have in place firm polices for dealing with transgressors and ensure such policies are implemented.

INVEST

Recognize that high quality, corruption free recruitment and management does not come for free. If you are paying little or nothing for recruitment and management of TCNs, or you are not conducting detailed audits of your supply chain, then you can be sure that the candidates are paying fees and suffering the associated intimidation and coercion.

Budget to pay reasonable recruitment and management fees to your recruitment company or labor subcontractor to incentivize them to act in line with your ethical principles (or if attempting to recruit 'in house' ensure you have the necessary expertise, and resource and audit the department appropriately).

Start to establish long-term relationships with trusted and knowledgeable contacts in the source country who can give you the ground truth about organizations working locally on your behalf. It is sensible to utilize the services of respected NGO's, and consultants who have long standing experience in the source country.

INSPECT

Be constantly vigilant, as vigilant as you are in your financial forecasting, as a mistake undiscovered can be every bit as costly. Be disinclined to trust anyone, as manpower providers and agents have become highly adept at creating veneers of legitimacy while continuing with corrupt practices. A signed contract containing the relevant FCPA, FAR clauses with a subcontractor registered in an OCONUS jurisdiction is no guarantee whatsoever and nor is it any longer a tenable legal argument to a charge of supply chain corruption. Ensure a continual auditing process is established and not just a one off visit. It is important to engage trusted and qualified personnel who have source country language skills and experience to enhance the effectiveness of the audit team.

Summary

The private sector can play the decisive role in combating human trafficking and bonded labor and it has been oft proven that ethical recruitment and management of TCNs delivers both reputational and bottom line benefits despite the investment required. No longer can companies afford to hide from their morale responsibilities by tolerating corruption in their supply chains. It is a truly significant, collateral benefit of globalization that traffickers and those who profit from trafficking are being put under increasing pressure. It is now a case of 'when' and not 'if' they will be exposed - and with more and more hard hitting legislation being drafted and implemented and more companies committing to policing their supply chains; that 'when' is soon.



KEY SPEAKERS INCLUDE: Air Chief Marshal SP Tyagi, [Former] Chief of the Air Staff and Chairman's Chief of Staff Committee, Indian Air Force Air Commodore Gary Martin, Commander Air Lift Group, **Royal Australian Air Force** Wing Commander Steve Hunt, Air Lead - Capability Development, **Roval New Zealand Air Force** Colonel Theodore Corallo, Commander, HARRT Division, **US Air Force** Colonel Tetsuya Araki, Head, Weapon Systems Programmes Division, Defence Planning and Policy Department, Air Staff Office, Sponsored by Japanese Air Self-Defence Force Brigadier (Ret'd) Rahul Bhonsle, Former Military Commander, Indian Armed Forces Laurent Donnet, Capability Manager, **European Defence Agency** LOCAL SUPPORT, TOTAL COMMITMENT ISOa Doug Brooks, President, 150A

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4 05 | President's Message | Brooks

2) LNs and TCNs eagerly join these missions. Even while being paid substantially less than their Western colleagues, the work is lucrative compared to what they would earn working in the regular economy or back in their home countries. Earnings provide valuable opportunities to take care of families, pay for education, and start businesses. For many countries around the world that provide TCNs, the missions in Afghanistan and Iraq have been enormously beneficial in the long term to their economies and quality of life. Additionally, the capacity-building aspect of these large missions should not be ignored. Employees are learning skill sets in accounting, business management, compliance with regulations, and all the numerous tasks required to keep large missions operating. Those crafting new labortrafficking laws and regulations should keep these realities in mind.

TCNs and LNs are valuable and eager participants in international stability operations. Well crafted

and enforced laws can facilitate their role and improve their conditions. Employees must always be free to make decisions, both the informed decision to join what could be a risky mission, and the freedom to quit that mission as well. As we improve laws, regulations and enforcement, we should facilitate their support for critical international stability operations, and not deny employees the right to decide their own choices and opportunities.

◀ 12 | Slave Labor to Support US Contracts | Kavinamannil and Vinci

ejected. Following some short stays with relatives, the family found refuge in a small, one-bedroom tin shed constructed from scraps. Unable to live with the consequences brought upon his family, Anthony hanged himself in a nearby tree. His elderly parents now have no home, no income and no son to care for them as they age.

Government Developments and Mitigation Measures

On Monday, March 26, 2012, a bill was proposed in both the US House and Senate entitled "End Trafficking in Government Contract Act of

2012".

that

The bill

were

covers many topics

previously

discussed at the

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House Committee on Oversight and Government Reform subcommittee i n November 2011. The bill specifically targets US contractors working in Iraq and Afghanistan, holding them accountable for committing or tolerating labor trafficking abuses. Being t h a t implementation of regulatory measures to prevent modernday slavery is a major struggle for contracting companies, the proposed bill requires US

contractors to take

these steps of prevention.

During a hearing conducted by the House Government Oversight and Government Reform Committee, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform on March 27, 2012, witnesses from the Department of Defense and Department of State outlined mitigation measures to deter, lessen, and abolish the use of slave labor. Actions used to prevent labor abuses incorporated requirements of contractors to provide a detailed description of housing, create contracts for workers both in English and in the workers' native language, inform workers of US zerotolerance policy for forced labor and other labor laws, as well as other preventative measures.

The use of third-country nationals (TCNs) on contingency contracts is a driven necessity born of security concerns, but they are an essential aspect of the contract workforce. Contractors have the ability to abolish the trafficking process immediately if they have an inclination to do so. Most of the laborers who are trafficking victims in Iraq and Afghanistan have worked under the Logistics Civil Augmentation Program ("LOGCAP") contract. In fact, according to a Congressional Research Service Report on Department of Defense contracts, in 2011 there were over 36,000 TCNs working on US contracts in Iraq alone, accounting for 57 percent of total contractors. Historically, prime contractors have asserted that they have no control whatsoever over the manner in which their subcontractor retains or treats its employees. That position, however, does not comport with the Federal Acquisition Regulations or the prevailing winds of change demanding accountability for the practice of using slave labor to perform US government contracts.

Eric Long

Revealing the Realities of Trafficking

A conversation with E. Benjamin Skinner



BENJAMIN SKINNER is a Senior Fellow at the Schuster Institute for Investigative Journalism at Brandeis University and the author of A Crime So Monstrous: Face to Face with Modern-day Slavery.

JIPO: Having devoted much of your professional life reporting on human and labor trafficking across the globe, what do you see as the current trend – is the problem of trafficking lessening or worsening?

Skinner: There are no concrete statistics on what the numbers are doing. That should be the first response to that question. These are not people who stand in line, raise their hands, and wait to be counted. They're in many cases victims that are convinced that their very survival relies on keeping their victimization hidden. It is a very hard population to measure. That said, I think there have been some positive trends, like the fact that in the last 12 years, really since I've been working on this issue, there have been more than 100 countries that have passed laws against human trafficking. Now all but, I believe, one American state has state-level laws against human

Eric Long is currently the Publications Associate at International Stability Operations Association. Contact Eric at elong535@gmail.com. trafficking. There is a general consensus that this is a real phenomenon globally. There is a general consensus that slavery is a crime against humanity and must be resisted. That's something that of course has been happening over the past 150 years.

There is an overall will to solve the problem, but as an official at the UNODC said, "There has never been a crime against humanity that has been so broadly talked about with so little resources put towards it." I think the amount of effort put out by any one of those governments that have passed those laws and the amount of appropriations that have been put towards them is nowhere near equal to the amount, force, and monetary power that the other side (the traffickers) brings.

One of the statistics that I like to cite because it is shocking and shows a lot about priorities and the gap between rhetoric and reality in this country is that the amount of money that we spend on an annual basis to fight trafficking in human beings is less than we spend in a single day to fight the traffic in illegal drugs. And that's not to diminish the relative horror of smoking pot, but it is to say that a 15 year old that is smoking pot on a street corner should be considered less of a criminal and a 15 year old sold into trafficking should be

Fishing boats at Island Bay, Wellington, New Zealand. Credits: Emily Walker, Flickr

considered more of a victim.

JIPO: You have traveled all over the world during your investigations. How broad of an issue do you see labor trafficking as and what are the "hotspots" or most at risk areas for trafficking?

Skinner: Trafficking is one of those terms of art that can mean a lot of different things among well meaning people. My understanding of what trafficking is, in a nutshell, is the recruitment, transport or harboring of individuals for the purposes of extracting their labor through force, fraud, or coercion. That covers all manner of industry, including the sex industry.

I would say if you take a look across industries, and again going back to my original response, there is no concrete census on this, and I have not tried to measure this in any way, I have to rely on the work that other people do on this, and so the work of folks like Roger Plant at the ILO has been very instructive over the years. The last update on his report was in 2010, the ILO's estimate was 12.3 million forced laborers worldwide and the vast majority of those are held in industries other than the commercial sex industry. I would say, taking a look at the global

21 Q & A with Skinner | Long

picture, if you were to plot slaves on a map, the vast majority would be in India, Bangladesh, Sri Lanka, Pakistan, Nepal, on the Indian sub-Continent in other words. And they would be held in some form of collateralized hereditary debt bondage, in other words they would have had to have had a loan at a certain point and the only way to get that loan is to offer themselves as collateral and work off that debt over a period of months, years, in some cases decades or even generations. That form of slavery is specifically prohibited by the national laws in the countries we are discussing, and yet the success of the slavery is apparent, in lieu of comprehensive law enforcement at the local level, and by local level I am talking of course for example in places like India, at the district levels and the village levels.

JIPO: The Obama administration has been aggressive in its focus on human trafficking, igniting a government-wide campaign against modern slavery, and making sure that all agencies treat the fight against human trafficking as a priority. What are your thoughts on the Obama administration's stance and efforts on preventing human trafficking thus far?

Skinner: Oh I totally agree that slavery is bad. It's not who in Washington says they are against slavery, it's how high up in their inbox it is. Where does this stack up when they're having immigration debate? How does this factor in when they are outlaying budget priorities? When Congress cut off 8 billion dollars from the Foreign Aid budget last April, did the State department prioritize between Foreign Aid programs, or did they do an across the board cut, which meant cutting funds that had a disproportionate effect on their ability to operate out of the TIP [Trafficking in Persons] budget. The TIP budget was already criminally low, and there is no real intentionality that matches up with the rhetoric.

Now, I want to be very specific on this, because the TIP office themselves have been extraordinarily staffed. There is no question that Ambassador CdeBaca , in my mind, is far and away the most qualified person, and this is nothing against his predecessors, it's just the fact of the matter that he is one of the most decorated prosecutors that has put away more traffickers than anyone in the U.S. He knows this issue inside and outward. He knows what he is talking about and takes an extraordinarily vigorous attitude and is extraordinarily effective. The problem is that there is not very much money. From my perspective, there is very little excuse for this because of all the issues that are no-brainers, I mean you could get Ron Paul on this! When you can get a libertarian to sign up to an issue that involves government funding, and you don't raise government money for it, there is a problem with leadership on this issue in Washington. Again, I don't put the blame here on Amb. CdeBaca and the TIP office because they are constitutionally forbidden to go to Congress and raise money. It is the problem of leadership in the White House and it is the problem of leadership among the NGO community that care about this.

There have been a few voices that are going in the other direction on this and that have been helpful, but not helpful enough. One of those is Holly Burkhalter at the International Justice Mission who has had her finger on the pulse of the funding debate and we are in appropriation season right now, and again she is this lonely voice calling for more resources from the Federal government. But, it has really been a big problem of leadership, not only in the White House, but in Congress as well. The fact that Republicans and Democrats can't come together on a fundamental issue like the nation's responsibility to free slaves, which is a principal that has been with us for nearly 150 years. (with the anniversary of the Emancipation Proclamation). They need to get past the bickering and realize that for slaves, delay is denial.

JIPO: Your recent investigation of the commercial fishing industry is a prime example of the complexity and prevalence of labor trafficking in an increasingly globalized world. Your findings could be shared across all industries as a case study in the labor risks inherent in complex global supply chains.

When did you decide to start the investigation of fishing industry practices in New Zealand and how did the investigation actually begin?

Skinner: We had a tip from a Western diplomatic source that this was a real issue. We looked into it, and found that folks in New Zealand had been looking into it already, and in fact some very serious folks had been looking into it. The University of Auckland Business School had put together a comprehensive investigation where they interviewed dozens of people who were survivors of trafficking situations. Although, unidentified as trafficking situations by the New Zealand government, they fit the description of trafficking based on their accounts of their experiences.

This University got involved when one of the foreign charter vessels sank in calm waters in the summer of 2010. The subsequent investigation revealed that several of the survivors told the New Zealand rescuers that responded to their S.O.S that they had been in forced labor and debt bondage situations while working. That prompted the University to the initial investigation. There were several follow up investigations in the local and national media in New Zealand, by a guy named Michael Field who just stayed with this subject relentlessly and doggedly. And yet by the time we got involved with it, it was sort of a low level discussion in New Zealand.

I realized that from my perspective as an American and from the global perspective, what was missing here were the critical links between the fish that were being caught on these vessels that were known or suspected to have resulted from forced labor. We identified 10 out of 26 operation vessels that had at least one known allegation of slave labor against it in the period that we were looking at it. We did intensive interviews with 6 of the vessels. Five at first, and then we talked to more from a 6th vessel after the investigation was published. What we wanted to look at were the links between fish caught on those vessels and the American market. What we found was when we did that it was a very complex and difficult investigation.

If you want to find out where your fish come from that you're buying in the supermarket, a warehouse store or a restaurant, you may be able to find out the general part of the globe that it comes from. In most cases, it comes from a part of the globe other than the U.S. (in fact 86% of seafood is in the U.S. today is imported). But if you want to find out who the distributers are, who the importers are, what the specific name of the fisheries that process the fish once it was caught and landed, and particularly the name of the vessel it was caught and landed on, you can't because these companies won't tell you. I think, stepping back that should be an issue of interest of anyone who wants to put these fish in their body, whether you give a damn about modern day slavery or not, that should be a topic of interest. It certainly was for us, which is why we got started on the investigation.

JIPO: When conducting this type of investigation,

what were the risks that you encountered? How dangerous is the trafficking market?

Skinner: The risks that I encounter are really nothing compared to those who are aiding me in my investigation, particularly those who are bearing witness through me of their own experiences. And I really can't underscore this enough, I guess I am not surprised by virtue of the way people think about these things, but the risks are borne by those who speak up, who fly against everything they have been threatened with on the part of the traffickers and the part of others in their lives and talk about their own exploitation to me, trust me, and trust my assurances that I will to do everything in my power to protect them. Frankly, if I am doing everything in my power to protect them and to protect confederates, such as drivers, intermediaries, informants, if they are all safe, then I will be Their safety is genuinely my primary fine concern here.

Make no mistake, we are dealing with very very violent individuals who take a very vigorous attitude toward protecting their business model and unfortunately, the source that I chose to write about, and he wasn't the one I talked to most, I thought his story was compelling and was more willing to put himself out there. The person I chose to cover for the Bloomberg story was immediately targeted within 48 hours and was driven from his home by agents from the recruiting company who had gone to threaten him and threaten his brother to try and get him to retract his statements. He immediately had to go into hiding and I coordinated with some local confederates that provided him with protection. That was the first time in my experience where that happened, where someone was targeted as a result of this. This was also my first time doing a major supply chain investigation. In the past, I have gone after Nigerian networks in South Africa, their stock and trade mostly is crack, and they're more worried about being busted on drug charges. They didn't care about being exposed for trafficking, because in South Africa there is no stand-alone law against human trafficking. In a situation like that, yeah they are scarier looking individuals, but in a sense the bar is a little lower in terms of my safety because they don't really give a damn if people know or not if they are dealing girls, as long as I don't say they are dealing crack.

JIPO: The workers you encountered were coerced into signing contracts that they could not

read, did not understand, or were forced to sign before reading. As a result, these workers were forced in to, as you have stated, "modern-day slavery." How can private companies, nongovernmental organizations and governments make sure that these types of contracts are not written or signed – anywhere along their supply chain, or by their sub-contractors or contractors lower on the supply-chain?

Skinner: I think first of all, by putting it in codes of practice, that's a good first step. But a code of practice can't be the end of the discussion. You need to do comprehensive auditing. In general terms, let's say you have a company who is making banana crème pies. You send out codes of conducts to the bakeries and distributors, you send out a CoC to all of these folks. You then have to find out where the wheat comes from. where the cream comes from, the bananas, how are the bananas sourced? If I'm running a company I look at the weak points and I look at the areas where the elements of the products are coming from, in places of the world with high rates of corruption, with low per-capita income, that are listed on the Department of Labor annual list with goods made with forced or child labor. I see, whoa, bananas from 'x' are an issue here, and at that point, I say this is a real challenge and I need to do some auditing. You bring in a 3rd party auditor.

If I'm a private corporation, or even a public corporation, and my primary interest is maximizing profits for my share-holders, I'm also primarily interested in making sure that over the long term this is sustainable and part of that is not using forced labor because you eventually you're going to get found out. The dark alternative is somebody like me coming in sniffing around your supply chain and writing about you in Businessweek. And even short of that, there are criminal sanctions, there's The Foreign Corrupt Practices Act, there is a tariff act, the supply chain provisions in the Trafficking Victims Protection Act (TVPRA) the California Transparency in Supplies Chain Act. Any of these corporations that have compliance officers know this. In many cases, they will do the minimum amount necessary. I think rapidly you're going to find that the minimum amount necessary isn't enough. A lot of companies that are doing the disclosures necessary under the California Transparency in Supply Chains Act are still going to get tagged. They're still going to get hit now and then because they haven't been as vigorous as they should be in terms of auditing all the way down the chain.

For me the big lesson is to understand the whole picture because most consumers in the modern economy do not have the capacity to go out and find out where the palm oil going into their fries or potato chips, where that comes from. But a CEO of the company that is selling or distributing the potato chips does. There is a real reliance. there is a relationship there. Most CEOs of companies that rely on consumers purchasing their products will talk about how the consumer is king and how that relationship is essential and once the bond of trust is broken then the business model starts to fray at the edges, or rot from the core. I think going forward you are going to see more and more, I hope, CEOs saving "okay, I am responsible here, regardless if I am criminally culpable (and increasingly they will be criminally culpable) I am responsible for that relationship." They are the "guardian" of consumer trust and in order to be a responsible guardian they have to know what is in the supply chain.

JIPO: Your investigation uncovered that red flags in the commercial fishing supply chain were ignored by the major corporate buyers of the product. What is your advice for spotting red flags in supply chains, and how can these red flags be addressed immediately?

Skinner: Just to reiterate, look at Transparency International's index in terms of corruption within countries, look at the Department of Labor's annual list in terms of goods produced with force and child labor, look at the TIP offices' rankings for countries based on how they're doing in terms of monitoring and combating slavery, and then figure out where the points of contact are in your supply chain. And then go further.

The fact is, in this country we've had a number of high profile cases over the last 10 -15 years of goods being produced through slave labor and sold to American consumers, but they were produced on American soil, they said made in the USA, they were from places like American Samoa, using this same form of recruiter-driven indentured servitude. And there are traffickers who are sitting in jail whose crime was using slaves to manufacture goods that were sold to American consumers, and they were operating on American soil. So you can't do this on the quick and dirty, you can't say 'OK, we don't have any points of contact with low-ranking countries on Transparency International's list, or low-ranking countries on TIP report annually, so we don't

24

◀ 23 | Q & A with Skinner | Long

have any exposure'.

I thought one American company's response was quite instructive, their initial response was the "Department of Labor does not list New Zealand as a high risk country". Well, sad to say I found otherwise. And about 10 days after our Bloomberg Businessweek story came out, a comprehensive ministerial report, which had been in the works for several months was released, and it was in many ways more damning than the Bloomberg Businessweek story.

So, as a CEO of a company you have to get ahead of the story. You have to have more information than the other people. There is really no excuse. If I'm a shareholder in one of these companies, there is really no excuse that I'm going to accept on the part of a corporate executive, for not having that information. For not knowing what's in my supply chain.

There's all this debate in this country over executive compensation, and that's an interesting debate. I don't get into it. But one thing I will say is if I'm paying a CEO a million dollars plus they damn well better know what the conditions are of the people in their supply chain that are at the bottom end of the pay scale. And they need to be responsive on those questions immediately.

JIPO: In your investigation of the New Zealand fishing industry you mentioned how often times corporate observers would report little to no incidences of abuse occurring on these fishing crafts. What do you think is behind conflicting reports of those being abused and those observing the working environments, and what do you think needs to be done in order to increase the accountability from all points of view of these types of investigations?

Skinner: Here we are getting into an area where legitimately I would be speculating a little bit because we are talking about motives of people who were presented with much of the same information as I found in Official Information Act requests, etc and just responded differently. I don't want to get into speculating on motives.

But I will say this. I will say this. In very general terms, you can...Part of the problem lies in that initial question that you asked me and that I asked back to you, which is how do you define human trafficking? And if the question was, you know, talk to me about the problem of homicide in the world today and how do we solve it. And I asked

you what homicide is you would say one human being killing another. It would be very kind of straightforward.

With human trafficking, you go to a place like South Africa where they don't have a stand-alone law against human trafficking. And I'll talk to social workers in the Social Ministry, government employees, whose job it is to protect victims of human trafficking even if that isn't a specific stand -alone law in the country, these are still victims of something, whether they're child abuse or rape, and you'll ask them what human trafficking is, as I do (this was an investigation I did in Time Magazine, published in January 2010), and they won't be able to ID a victim of HT.

In one instance there was a case we encountered in the course of our investigation, a girl who said she was 15 years old who had been recruited from her township in Eastern Cape, who had been brought several hours to the north. She originally thought she was going to work, I'm forgetting, it was either in bar or restaurant. The recruiter had sold her and her best friend for \$70 in total (the equivalent of \$70 in Rand) and a bag of crack. She was beaten up, she tried to escape three times, each time she was captured. Among her clients were police, who would very much participate in

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protecting her traffickers.

Her best friend who was sold with her, who I interviewed that night in a hospice, died a week afterwards. She had AIDS, she had tuberculosis, and she was three months pregnant.

When this young woman, this girl who claimed she was 15, she was working on the streets, asked for help, we - my photographer and I - we helped her get into a shelter where she could be protected, anonymously, some 8 hours away from the situation. And obviously at this point we're talking about a crime. We reported the crime to a local police lieutenant who we trusted, (by local I mean away from that particular place because of course the police around Bloemfontein had all kinds of problems). We got a social worker who would be helping the young girl recover. The social worker goes in and interviews her, and about 12 hours later, very triumphantly calls me up and says "I have wonderful news this wasn't a victim of human trafficking because she went willingly". And in essence this is the same argument that has been used over and over again by government and host countries that say "Oh well these people aren't victims of human trafficking because they came to this country willingly, they knew the risks they were getting involved in, well in many cases they didn't know the risks they were getting involved in, but that's neither here nor there. They're claiming that because there is the desire to move at the outset, that they are somehow responsible or anyway not victims, once the true elements of trafficking come into play. The force, the fraud the coercion, the stress, the intimidation.

There is a reason why the Palermo Protocol is phrased the way it is phrased and that was specifically to address that misconception that modern-day slavery is exactly the same as old slavery, where people were taken in slave raids.

JIPO: The California Transparency in Supply Chains Act requires all retailers based in California with more than \$100 million in global sales to publicly disclose their efforts to monitor and combat slavery in their supply chains. Are more states attempting to implement similar measures? Do you see more governments worldwide considering this type of legislation?

Skinner: I know of no other states following suit on this and they should. I know that at the federal level, Carolyn Maloney, the congresswoman from New York, has been pushing for Federalization of the California Transparency in Supply Chains Act. I think its HR 2759 if I'm remembering right. It's in Committee right now. She got resistance from the Republicans on this, and it should be one of these bipartisan issues, we're talking about slavery here. On this particular legislation the way it was phrased Initially, I think it was zero cost to government.

And you know, I'm not in an advocacy role, I'm not saying it was a perfect piece of legislation, I'm not saying I'm encouraging passage of it, but I think there is a general need for more than just SB657 [California Transparency in Supply Chains Act], there is a general need for other tools, for prosecutors at all levels to use. More to the point for consumers to use, in order to understand what's in the products we buy.

JIPO: ISOA is a standards-based association supported by a Code of Conduct signed by all organizational members deploying staff in the field. During your investigation, you came across various standards measures, both from the private sector and the public sector. What do you see as the benefits of such codes of conduct?

Skinner: Basically, in general terms, COC is useful for when someone like me calls you up and you are a CEO of a major, multi-national corporation, with over a billion dollars in revenue every year, and you have supply chains that extend halfway around the globe. If your suppliers have a COC, you can say to me immediately, "Hey, they signed this COC and we took them at their word". That is sort of the baseline, that's the beginning. And its better to be able to give me that response than it is to say "we don't know what is in our supply chain". This gives you that much more leverage, beyond the obvious economic leverage of contract versus no contract, to go out to your suppliers and say, "hey you signed this COC, I'm not being told that things aren't quite so clear here, what's the deal" and you can have a conversation. And I think that that's a useful tool. But is it the end of the conversation, the end of discussion? No, absolutely not. Do I think it's generally a good thing? Sure, it's not going to do any harm.

JIPO: What conclusions have you drawn from your extensive investigations?

Skinner: Slavery is bad. I guess, to sort of echo the sentiment of that official in the UNODC press release last week, in the current world, there is no crime that is more spoken about and more condemned by public officials and less focused on in terms of resources and in terms of real hard effort.

JIPO: In Afghanistan, the Afghanistan Public Protection Force (APPF), an Afghan Government security force, is currently transitioning in to replace private security companies as the only security providers to protect companies and organizations working in country. However, the Afghan Government has been reluctant to sign contracts to provide protection due to clauses regarding human and labor trafficking. What must be done to make sure that all contracts ban the use of human trafficking, labor trafficking, and abusive working conditions?

Skinner: This is a tough one in terms of Afghanistan in particular because of the very complicated relationship obviously that the US has with Afghanistan. I was an election observer in Afghanistan, and the beneficiary of my PSD, they were private security military contractors, and they were extraordinarily professional, and they were terrific, and I'm sure they were great guys in their private lives. And I'm sure that's how most of the professionals are.

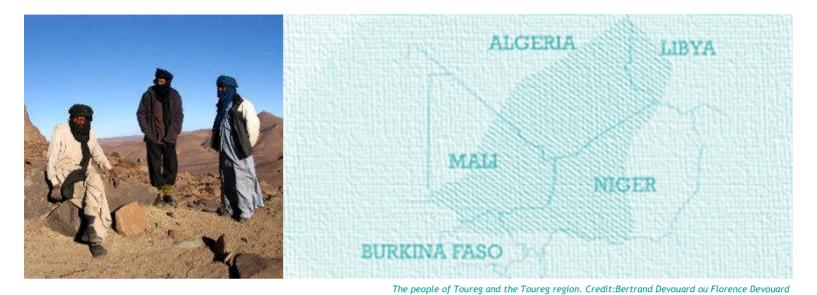
But I think because of infamous cases and there is a real need for the industry to partner with nonprofit organizations whose core missions might not look similar at all. But I think particularly an industry organization like you guys, have a vested interest in making sure that industry officials understand their vested interest in protecting the brand of their field overall. A big part of that is making sure the employees are doing the right thing by the populations among whom they work. It was a little shocking to most Americans - most Americans will remember in the Iraq years, the way that PSC skirted even the most basic laws in Iraq and were held to a different set of standards and took advantage of that latitude in just a few cases. Now by no means can you extend this to the broader industry.

I think doing regular comprehensive self assessments and bringing in 3rd party auditors to say "How are we doing?" would go a long way towards taking away some of the negative connotations that the term PSC currently bears. And herein I'm not just talking about human trafficking. And certainly COCs are a key element of that. As with other industries, you have to move beyond COC to real accountability and accountability involves truly independently third party auditors coming in and accounting.

Herman J. Cohen

What a Difference a Coup Makes

Republic of Mali on the Brink of Collapse



NE of Africa's few irreversible democracies is in deep trouble. The west African Republic of Mali suffered a military coup in March, as well as a major loss of territory in its vast desert north to Touareg rebels determined to carve out their own independent state.

What is behind this major reversal of Mali's democratic process? In one sense, we can call it "Gadhafi's revenge." The late "Leader" of Libya did not trust most Libyans. He relied mainly on members of his own clan and immediate family. For that reason, he recruited soldiers from among nomadic tribes in countries along Libya's southern border as his main fighting force. He kept his own Libyan army weak and disorganized. During the 2011 uprising against his rule, Gadhafi relied on his African fighters to kill Libyan rebels without restraint. Thanks to NATO airpower, Gadhafi's fighters were defeated.

Both African fighters and guest workers in Libya had to flee toward the end of 2011 back to their countries of origin, Mali, Niger and Chad. In all of

Ambassador Cohen is a former Assistant Secretary of State for Africa and is President of Cohen & Woods International. these countries, there was a severe refugee burden that continues to this day. In Mali, returning fighters from the Touareg tribe came across the Libyan border heavily armed and looking for a fight with both the Malian military and the Mali Government.

During the fighting against the Mali army in the country's northern regions during the period October 2011-February 2012, the Touareg rebels outgunned and outfought the Mali army. To make matters even more drastic, Mali soldiers taken prisoner were summarily executed. Needless to say, Mali army morale plummeted, and complaints were aimed at military headquarters and the political leadership in the capital Bamako for lack of appropriate equipment and supplies, and lack of support. The fact that the Mali military units ran out of ammunition early in the fight indicates that most of the money for arms and ammunition was most likely stolen by the military hierarchy.

In March 2012, military garrisons in Bamako saw their political leaders tied up totally in a presidential election campaign. President Amadou Amani Touré was completing his second and final fiveyear term and was essentially a lame duck. Younger officers erupted in mutinous frustration at one military base outside of Bamako in late March, and proceeded to overthrow the regime.

While Mali's current crisis was precipitated by the recent return of Touareg rebel fighters from Libya, the Touareg problem has a long history that has troubled all Mali governments since independence in 1960. The nomadic tribes that inhabit Mali's vast northern reaches---Toureg, Toubou and Fulani/Peul--- have been second class citizens from the very beginning. In precolonial days the northern tribes dominated. They controlled the trade routes from the fertile valleys of the Niger and Senegal rivers north to the Mediterranean coast. They traded in grains, salt, gold and slaves.

With the advent of colonialism, the northern tribes were cast into virtual oblivion. Modern transport systems replaced the camels, and the lucrative slave trade was abolished. Because of bad governance and dictatorial leaders, independent Mali's economic development was blocked until the beginning of the 21st. century. The northern tribes received little by way of education, public health and infrastructure. Needless to say, the northern tribes, especially the Touareg, entered a state of insurgency during the 1980s. Various efforts were made at reconciliation and economic integration that succeeded for short periods. Touareg fighters were integrated into the regular army. But poverty and exclusion prevailed in the north.

With Mali's adoption of a multiparty democracy in 1991, Touareg and other northern tribes were able to participate in parliamentary discourse. But little was done for northern development. Most foreign assistance was concentrated in the heavily populated Niger valley to the south. Hence, when Touareg fighters returned from Libya, the die was cast for a resumption of insurgency. In addition to the rebels, most of the Touareg officers and men who had been integrated into the regular army defected to the incoming fighters from Libya.

As of early April 2012, the Touareg fighters have captured the major northern cities of Gao, Kidal and Timbuktu. Several hundred thousand refugees have fled to the south. Having captured the major northern cities, the rebels have declared a ceasefire and announced the establishment of the independent Republic of Azawad.

The army is in disarray. Having taken over the government, the young army officers did not know what to do next. Fortunately, the organiza-



tion of West African states (ECOWAS) has demanded a return to a constitutional government. The military junta has agreed, and it looks like a transitional civilian government will be formed to bring about elections under the leadership of the President of the National Assembly. The elections that had been scheduled for May 2012 will likely be held toward the end of the year. The outgoing President Amani Touré has officially resigned to make everything constitutional.

Meanwhile, what is to be done about the rebel takeover of the major northern towns, and the establishment of the independent "State of Azawad?" Mali is effectively divided into two parts. Events in the north are especially troubling because the Touareg fighters have been heavily infiltrated by Islamists from the Al-Qaeda in the Maghreb (AQIM), and by Jihadists from within their own tribe known as Ansar e-Dine. As the Toureg fighters have taken over towns, the jihadists have taken over civil administration. These folks are also profiting from the West African drug trade, from hostage taking and from the general dissatisfaction of the population.

While the Touareg fighters are happy with their declaration of independence, the Islamist fighters

want to continue south to take over the rest of Mali. They are threatening to move into the heavily populated areas in order to impose Sharia law. The tourist trade, which depends on facilities in the ancient northern towns, has been suspended in the normally important cool season. Mining companies producing gold and exploring for oil are likely to suspend operations out of security concerns. The United Nations Educational and Cultural Organization (UNESCO) is in a panic because the northern city of Timbuktu is a world heritage site, and therefore in danger of destruction from warfare.

The Organization of West African States (ECOWAS) says it has 3,000 troops available to help the army of Mali retake the north. The French have said they will not send troops, but will be able to help with logistics. The distances are great, and the supply lines will be very long. Everything will have to be moved by air. The longer the secessionist rebels and their Islamic allies are allowed to dig in, the harder it will be to dislodge them. Time will also allow Islamist fighters to come in from Yemen, Sudan, Somalia, and Pakistan. Refugees keep moving south to escape the invaders. If ECOWAS had a tough time in Liberia in the 1990s, Mali in 2012-2013 will be a much greater challenge.



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ISOA invites ISOA Members to send us news for the Member News Board at communications@stability-operations.org.



Agility Obtained a Good **Distribution Practice** Certification in Ireland.

BAE SYSTEMS

BAE Systems Inc. Won a £446M Typhoon contract.

CH2MHILL CH2M Hill, Inc. Ranked No. 5 on List of Top Employers by Minority Engineer.



office moved due to continued growth.



Clements Worldwide announced enhancements to GlobalCare International Health Insurance Program



Crowell & Moring LLP held Product Risk Management Event To Feature Consumer Product Safety Commissioner Anne M. Northup





DynCorp International Earned the Federal Aviation Administration (FAA) Diamond Award for Excellence.



EOD Technology Inc. restructuring business model, workforce; focusing on future markets





Frank Crystal & Company to offer expanded insurance coverage to mutual fund directors forum members.

G4S gained a new Major Contract with Volvo Car Corporation in Sweden.

GIBSON DUNN

Gibson, Dunn & Crutcher LLP Ranked in Legal 500 EMEA.



Development and The Coca-Cola Africa Foundation Team to Increase Water Security in Somalia.

International

L-3 MPRI

Relief &



announced that it will MPRI provide mission command training capability services at Joint

Base Lewis-McChord, Wash.



MISSION ESSENTIAL

Mission Essential Personnel Won Three New Task Orders With CENTCOM.



Pax Mondial successfully obtained a Risk Management Company license in Afghanistan and held a successful conference in Brussels on capacity building, partnerships.

STEPTOE& JOHNSON I

Steptoe & Johnson LLP Recommended in Legal 500 Europe, Middle East & Africa 2012



Triple Canopy, Inc. Appointed a New Chief Operating Officer and presented at the International Standards and Accountability Seminar.

MEMBER JOB POSTINGS

Visit the Careers with ISOA Members page on the ISOA website to find the career pages at ISOA Member organizations.

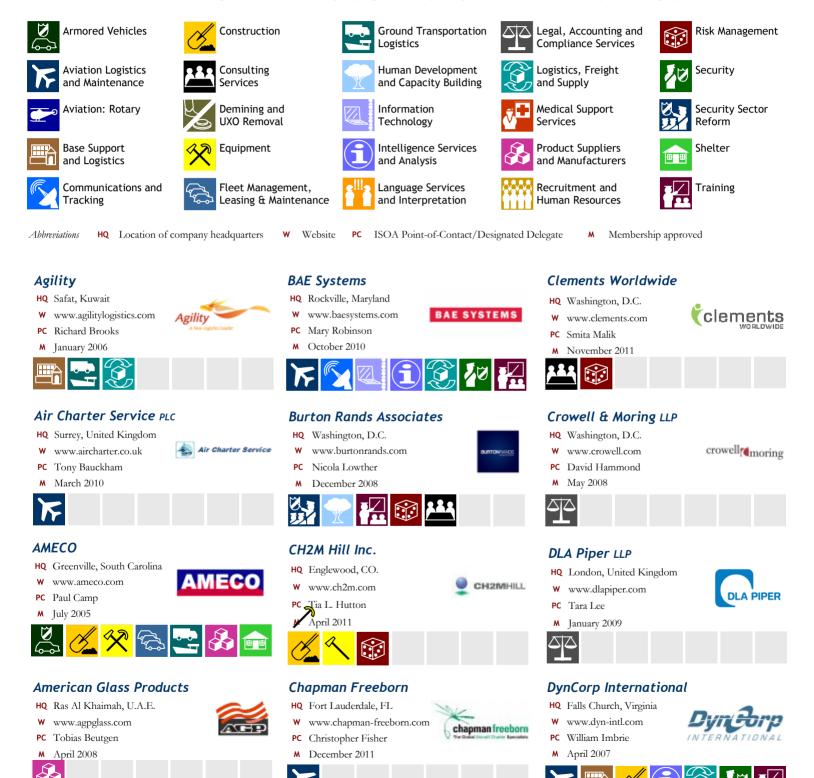
Current Job Postings:

- **BAE Systems, Inc.**
- **Mission Essential** Personnel
- SCN Resources Groupspecializing in delivering mission critical human resource solutions to companies operating in the contingency and stability operations industry globally

The ISOA Membership

The International Stability Operations Association

The International Stability Operations Association is proud to have a multisectoral membership that represents the various aspects of operations performed in conflict, post-conflict, disaster relief and reconstruction efforts. The Membership Directory attempts to provide a visualization of the different roles that our member companies fulfill in contingency operations by using the icons below to classify each company's activities.



ISOA Membership Directory

EOD Technology, Inc.

HQ	Lenoir City, Tennessee
w	www.eodt.com
PC	Erik Quist
Μ	January 2006

FLUOR

Fluor Corporation

- HQ Irving, Texas
- www.fluor.com w
- PC Howie Lind
- M February 2012



Frank Crystal & Company

- HQ Washington, D.C.
- w www.fcrystal.com
- PC Jeffrey Wingate
- M July 2010

229

FSI Worldwide

- HQ Dubai, U.A.E.
- w www.fsi-worldwide.com
- PC Nicholas Forster



G4S

- HQ Arlington, Virginia
- w www.armorgroup.com PC Phil Rudder
- August 2003 м



GardaWorld

- HQ Dubai, UAE
- w www.garda-world.com
- PC Peter Dordal



Gibson, Dunn & Crutcher LLP

- HQ Washington, D.C.
- W www.gibsondunn.com
- PC Joseph D. West
- May 2010







OSPREA Logistics

- HQ Cape Town, South Africa
- W www.osprea.com
- PC Salih Brandt
- M August 2010





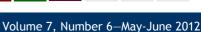
OSPRE

- OSSI, Inc. HQ Miami, Florida

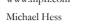
 - w www.ossiinc.com
- PC John Walbridge
- M October 2005













MISSION ESSENTIAL







December 2005

OnSite OHS, Inc.

- PC Michelle Prinzing





GIBSON DUNN

HQ Arlington, Virginia w www.ird.org GardaWorld



KGL Holding

- HQ Safat, Kuwait
- W www.kgl.com
- PC Scott Beverly







International Relief & Development



ISOA	Mem	bers	hip	Dire	ctorv
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 Overseas Lease Group HQ Fort Lauderdale, Florida W www.overseasleasegroup.com PC Tracy Badcock M February 2008 Construction Excellent of the second s	Sallyport HQ Bridgeville, Pennsylvania W www.sallyportglobal.com PC Doug Magee M August 2011	Steptoe & Johnson LLP HQ Washington, DC W www.steptoe.com STEPTOERJOHNSON** PC Stephen Heifetz M September 2011
 PAE, Inc. HQ Arlington, Virginia W www.paegroup.com PC Thomas Callahan M October 2010 Image: A straight of the straight	SCN Resources Group, Inc. HQ Alexandria, Virginia W www.securitycontracting.net PC Jake Allen M July 2011 M July 2011	SupplyCore HQ Rockford, IL W www.supplycore.com PC Mike Paul M March 2012 Worldwide Supples - Worldwide Supple
Pax Mondial HQ Arlington, Virginia W www.paxmondial.com PC Paul Wood M January 2009 Image: Comparison of the system of	Shield International Security HQ Seoul, South Korea W www.shieldconsulting.co.kr PC Lucy Park M April 2010	HQ Southern Pines, N. Carolina W www.telumcorp.com PC Alfredo Quiros M September 2010
Reed Inc. HQ Leesburg, Virginia W www.reedinc.com PC Marius van der Riet M April 2006 V I I I I I I I I I I I I I I I I I I I	Shook, Hardy & Bacon LLP HQ Washington, D.C. W www.shb.com PC David Douglass M April 2009	HQ Reston, Virginia W www.triplecanopy.com PC Mark DeWitt M July 2008
Relyant HQ Maryville, Tennessee W www.gorelyant.com PC Susan Lynch M April 2009 WWW Delyant	 SOC, LLC HQ Chantilly, Virginia W www.soc-usa.com PC Shawn James M September 2009 	URS HQ Germantown, Maryland W www.urs.com PC Robie Robinson M April 2009 M April 2009
Safenet Group HQ Dubai, U.A.E. W www.safenet.net PC Laurence Maree M January 2011	SOS International Ltd. HQ Reston, Virginia W www.sosiltd.com PC Michael K. Seidl M November 2007	 Unity Resources Group HQ Dubai, U.A.E. W www.unityresourcesgroup.com PC Jim LeBlanc M December 2006 Image: Comparison of the second secon
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- Participation on ISOA Committees and Working Groups
- Exclusive member-only publications and business intelligence

Contact development@stability-operations.org for more information



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