

**Safety after Slavery
Protecting Victims of Human Trafficking**

Final Conference Report and Policy Recommendations

Working Group Meeting
April 22 – April 24, 2004

Sponsored by

Human Rights Center
International Human Rights Law Clinic
University of California, Berkeley

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I. Introduction

UC Berkeley's Human Rights Center and International Human Rights Law Clinic convened an invited working group of government officials, representatives of nongovernmental organizations, academics from Mexico and the United States, as well as Mexican trafficking survivors to address the urgent and critical need to improve protection and support for Mexican forced labor survivors. This report summarizes the objectives of the meeting, our findings, and recommendations.

II. Working Group Objectives

The participants considered how law enforcement and social and legal service agencies can work together to improve protection and support for Mexican trafficking victims. The primary focused on four questions:

- A. What is the nature and scope of trafficking into the U.S. from Mexico?
- B. How can we better support and protect survivors of human trafficking?
- C. How can we improve transnational cooperation between NGOs and government on both sides of the border?
- D. What further research is needed?

III. Background

Each year, thousands of men, women, and children enter the United States and become captives of modern day slaveholders. As Mexico is the largest source of migration to the United States, Mexican nationals comprise substantial numbers of trafficking victims. Toiling in factories, private homes, brothels, farms, restaurants, or other workplaces, these victims come seeking a better life but find themselves forced to work against their will in deplorable conditions. They receive little or no pay and their "employers" use threats or physical violence to prevent them from leaving.

Once trafficking victims manage to escape or are rescued, they face the difficult task of returning home or, if criminal charges are brought against their former employers in the United States, of deciding whether to testify against them in court. A forthcoming study on forced labor in the United States prepared by the Human Rights Center and Free

the Slaves, documents the need for increased protection and support for trafficking victims and their families in home countries. Traffickers or their associates threaten family members of survivors who cooperate with law enforcement. And those who return home without assistance also are at risk. Unable to find work, they may be lured or forced back into the trafficking trade. The study finds that threats to family members are a serious problem that inhibits reintegration and rehabilitation of survivors and prevents them from cooperating with law enforcement.

Against this backdrop, the Working Group discussed specific U.S. prosecutions involving Mexican nationals; what were the strengths and weaknesses of the U.S. anti-trafficking model; and how protection for survivors could be enhanced. Members of the Mexican government and Mexican NGOs presented cases of human trafficking in Mexico; what were the strengths and weaknesses of the Mexican approach; and how protection for survivors and returnees could be strengthened. Participants considered a regional victim protection model used in Europe that involved regional cooperation between state governments and NGOs. The meeting concluded with a discussion that summarized the key policy concerns and recommendations on how the United States and Mexican governments, and NGOs can collaborate to address these policy concerns.

III. Policy Concerns & Recommendations

Protection for Family Members

Traffickers may be powerful and influential people in local Mexican communities. Family members may themselves be traffickers or be complicit in the trafficking. Therefore, traffickers quickly may know who to threaten or intimidate (family members, witnesses, other trafficked persons) long before government authorities are aware and able to put in place protective measures. Family members are particularly at risk during “critical periods” of reprisal, namely during and shortly after arrest of suspected trafficker, during hearings/trial, and during sentencing. It is important that protective measures be implemented during these times. Not only are protective measures needed for family members during these critical periods, but long-term protective measures are also needed. Two survivors who were part of the Working Group stated that although much time may have elapsed since the criminal proceeding and the trafficker may even be imprisoned, the fear of reprisal remains high among survivors and their families. Children may be particularly vulnerable to trafficking and therefore require additional protective measures.

Because of threats of reprisals, trafficking persons may be hesitant to testify against the trafficker, thus resulting in impunity. Families of trafficked persons may suffer harm, mental/emotional distress, intimidation, physical injury or death. Families of trafficked persons in Mexico are at risk of losing their homes, other property or income that may have been used as collateral to help finance transport-related fees and expenses. Despite the fact that the trafficking incident may be illegal and prosecuted in the United States, the resulting debt in

Mexico may still be valid and the traffickers may still be able to collect on the debt, thus holding the families of trafficked persons in a financial stranglehold.

Recommendations:

- Information be provided to families of trafficked persons quickly and continually by establishing communication channels with family members in Mexico. This may be facilitated by ensuring NGO access to trafficked persons immediately (within 24 hours of case being discovered) and by securing a means of confidential communication between all parties (NGO, trafficked persons, their families, law enforcement & prosecutors).
- A “danger” assessment be developed to assess the level of danger to trafficked persons, their families and to NGOs by investigating who are the traffickers and what are their connections.
- More comprehensive identity and witness protection measures for trafficked persons and their families should be developed, particularly during the critical periods of reprisal.
- A mechanism be established to cancel the trafficking debt in Mexico.

Protection for Returnees

Those who choose to return to Mexico require protection and support to re-integrate safely into communities and to avoid becoming re-trafficked. Trafficked persons suffer psychological and physical trauma and may be in need of psychological treatment and health care. It is unclear what happens to trafficked persons who return to Mexico – where do they live, how are they treated, what challenges do they face and are they able to access necessary services?

Recommendations:

- NGOs and governments develop better lines of communication and more dialogue to develop a transnational collaborative to assist returnees (based on La Strada model in Eastern Europe).
- More research be conducted to better understand what happens to returnees, what challenges they face upon re-integration, how are they received back in their communities and what services and assistance they need.
- Greater funding be allocated to develop a full range of services for returnees, including psycho-social, health and legal assistance, and particularly for long-term psychological care.
- Transnational measures to track and confiscate assets of traffickers be developed so that these assets can be re-distributed to returnees (and to trafficked persons who remain in the US) as a form of compensation and to service providers.

Protection/Support for Survivors in the United States

Trafficking survivors who remain in the United States are also in need of on-going protection and supportive services as they adjust to life in new surroundings. These may include social/cultural orientation; housing assistance; psychological and health treatment; legal assistance; and, employment training and education. Trafficked persons live a life of continual upheaval and unpredictability; they are forced to change their addresses and telephone numbers. Survivors must be continually vigilant in order to evade being identified by traffickers. In addition, trafficked persons must live for significant periods, sometimes for years, estranged from their families in Mexico, resulting in loneliness, stress and disruption in normal family/personal relations.

Recommendations:

- The courage and strength of trafficked persons be recognized in order to gain their trust and to understand the emotional impact of trafficking.
- Family reunification be expedited. This may require transnational work to resolve child custody issues in Mexico.
- Trafficked persons be informed of their rights at Mexican Consulate, if it is deemed safe to do so. Additional protections may be required to ensure that access is safe as traffickers may be posted outside the

consulate during work hours and that some traffickers may have connections within some embassies.

- Trafficked persons be educated on the benefits and potential consequences of cooperating with an investigation/prosecution of the trafficker, so that they can make fully informed decisions.

Protection Against Disclosure of Identifying Information

Although media reports of human trafficking can be helpful in educating the public and policy makers, media inquiries and reports can also be harmful to trafficked persons and their families by revealing identifying information such as names and the locale and identities of trafficked persons. Such exposure places trafficked persons and their families at risk for reprisals by traffickers and their affiliates.

Recommendations:

- Safe and discrete investigations be conducted in both the United States and Mexico where confidential communications can be secured.
- Measures be taken to prevent disclosure of identities and locales of trafficked persons and their families, including by the media. Such measures may include the development of media training on confidentiality.

Corruption/Lack of Training Among Law Enforcement at the Federal vs. Local Levels

Trafficked persons who were part of the Working Group expressed a distrust of Mexican local law enforcement and stated that they would be hesitant to report trafficking cases to local law enforcement because they feared being treated as criminal suspects, and not as victims of a crime. As a result cases of trafficking are not reported because the trafficked persons fail to see any benefit in doing so. This results in impunity.

Recommendations:

- Corruption be addressed at all levels of government and a mechanism for direct communication with federal Mexican authorities be developed.
- A U.S. – Mexico rapid response system be developed (that would include both NGOs & IGOs) to ensure that trafficking cases are properly investigated and witnesses and victims afforded adequate protections.

- Trainings regarding trafficking be developed for members of local law enforcement.

Strengthening and Supporting NGOs

Mexican NGOs acknowledged that Mexican civil society needs strengthening to develop its capacity to address trafficking, which is a new issue. One difficulty for NGOs trying to address the issue of trafficking is that there is not an adequate legal framework within Mexico to prosecute traffickers. Some trafficking cases may be brought under immigration laws and others under anti-slavery statutes. However, some forms of trafficking may evade prosecution under both types of law. NGOs also cited the lack of communication and information sharing between NGOs and governmental agencies and the lack of transparency in governmental decision-making and action as inhibiting their work. NGOs expressed that they do not have access to federal authorities and thus cannot find out information about trafficked persons, and they have no governmental channel through which to express concerns. Mexican NGOs stated that they were not sufficiently supported by the government through public funding and resources. It was also noted that the NGO community is dispersed and thus unable to address trafficking through a coordinated response where limited resources could be shared.

Recommendations:

- The Mexican government should develop a comprehensive anti-trafficking statute, prosecute more trafficking cases (like the Cadena case) and provide for victim restitution.
- Financial support for education, training and program development, including leadership development, and peer education be increased in order to strengthen and expand the capacities of NGOs.
- Mexican government agencies and NGOs develop better lines of communication and work to develop collaborative relationships in order to address trafficking.
- The Mexican government should provide NGOs with better access to documents and to information about trafficked persons.

The gap between law & practice

Working Group participants noted that despite the laws on the books to prosecute trafficking and to protect trafficked persons in the U.S. and Mexico, a lack of awareness of these laws exist that results in these laws not being vigorously implemented nor interpreted broadly. A lack of awareness exists among the general population, among local law enforcement and to some degree among federal authorities.

Recommendations:

- Research be encouraged and funded to examine the gap between law and practice - how do cases proceed through the criminal justice system; what obstacles exist; how can the system be improved; what is the nature of organized crime; and, what types of trafficking exist.
- International protocols against trafficking should be ratified by Mexico and these international prohibitions must be translated to the national and local levels through the passage of domestic laws/regulations. Domestic laws must be accompanied by comprehensive training and education at the federal and local levels.
- Transnational training and education be instituted in order for both U.S. and Mexican law enforcement to understand the laws, procedures and governmental infrastructure on both sides of the border and how these relate to the investigation and prosecution of human trafficking.

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Estar a Salvo Después de la Esclavitud: Protegiendo a Víctimas de la Trata de Personas
Safety after Slavery: Protecting Victims of Human Trafficking

Reunión del Grupo de Trabajo
22 Abril - 24 Abril, 2004

I. Introducción

El Human Rights Center y la International Human Rights Law Clinic de la Universidad de California en Berkeley se reunieron y organizaron un grupo de trabajo constituido por funcionarios del gobierno, representantes de ONGs y académicos, de los Estados Unidos y de México, así como por víctimas mexicanas, para analizar la inminente necesidad de mejorar la protección y el apoyo que reciben las víctimas mexicanas del delito de Trata de Personas. El siguiente documento es un informe que sintetiza los objetivos, conclusiones y recomendaciones que surgieron en este encuentro.

II. Objetivos de el Grupo de Trabajo

Los participantes consideraron como las autoridades policíacas, junto con agencias proveedoras de servicios sociales y legales, pueden establecer relaciones de cooperación mutua con el fin de mejorar la protección y el apoyo que se otorga a víctimas mexicanas de la Trata de Personas. La atención del grupo se concentró en cuatro preguntas principales:

- A. ¿Cuál es la naturaleza y la amplitud del problema de la Trata con víctimas provenientes de México en los Estados Unidos?
- B. ¿Cómo se pueden perfeccionar la protección y el apoyo que reciben las víctimas de la Trata?
- C. ¿Cómo se puede mejorar la cooperación transnacional entre las ONGs y el gobierno, tanto en México como en los Estados Unidos?
- D. ¿Qué tipo de estudios e investigaciones adicionales son requeridos?

III. Datos Preliminares

Cada año, miles de hombres, mujeres y niños entran a los Estados Unidos y son sujetos a condiciones de esclavitud por gentes sin escrúpulos. Debido a que México es la mayor fuente de migración hacia los Estados Unidos, los ciudadanos mexicanos representan una cifra substancial de aquellos que son víctimas del delito de Trata de Personas en el vecino país del norte. Estas víctimas, quienes sólo vienen en búsqueda de una vida mejor, se enfrentan con una realidad en la cual se les obliga a trabajar en contra de su propia voluntad y bajo condiciones deplorables, mientras laboran en fábricas, casas particulares,

prostíbulos, sembradíos, restaurantes, u otros lugares de trabajo.. Reciben poco o ningún sueldo, y sus supuestos patrones utilizan amenazas y/o violencia para prevenir su huída.

Si las víctimas de la Trata logran huir, o si se les rescata, se enfrentan además, a la difícil tarea de regresar a su país de origen; o en caso de que se presenten cargos criminales en contra de sus antiguos patrones en los Estados Unidos, de decidir si van o no a rendir testimonio en contra de ellos en la corte. Un estudio que aparecerá próximamente acerca del delito de Trata de Personas en los Estados Unidos, elaborado por el Human Rights Center y Free the Slaves, documenta la necesidad inmediata de proveer de mayor protección y apoyo a las víctimas y sus familias. Esto es necesario, ya que es común que los delincuentes, o sus socios, amenacen a los parientes de los sobrevivientes de la Trata que deciden cooperar con autoridades judiciales. Cabe mencionar, que aquellos que regresan a su país de origen también corren riesgos, ya que si no logran encontrar empleo pueden volver a ser víctimas de ese delito. Dicho estudio concluye que las amenazas dirigidas hacia parientes de las víctimas de la Trata son un grave problema que inhibe la reintegración y rehabilitación de estas víctimas, y también es un factor fundamental que les impide cooperar con las autoridades judiciales.

Tomando en cuenta estos antecedentes, el grupo de trabajo discutió procedimientos judiciales específicos seguidos en los Estados Unidos en donde se vieron involucrados ciudadanos mexicanos; discutieron sobre las ventajas y desventajas del modelo norteamericano para combatir la Trata de personas; y la manera de incrementar la protección que se otorga a las víctimas que sobreviven la Trata. Los miembros del Gobierno de México y de las ONGs mexicanas presentaron casos de Trata en México; discutieron sobre las ventajas y desventajas del modelo mexicano; y aportaron sugerencias para incrementar la protección que se otorga a los sobrevivientes y a aquellas víctimas que deciden regresar a su país de origen. Los participantes también analizaron un modelo regional de protección a víctimas de este delito que es utilizado en Europa, y que se basa en la cooperación a nivel regional entre gobiernos nacionales y ONGs. La reunión concluyó con un foro de discusión que dio, en resumen, los principales asuntos legislativos y recomendaciones sobre la manera en que los gobiernos de México y de los Estados Unidos, y las ONGs de estos países, pueden trabajar en conjunto para formular soluciones hacia el problema de la Trata.

IV. Prioridades Legislativas y Recomendaciones

A. Proteger a los Familiares de las Víctimas

Se debe de tomar en cuenta que algunos de los delincuentes involucrados en la Trata pueden ser personas con poder e influencia en México. Adicionalmente, se dan casos en los que dichos delincuentes, o los cómplices de estos, tienen algún parentesco con las víctimas. Por lo tanto, los delincuentes pueden saber rápidamente a quién hay que amenazar o intimidar (a parientes de las víctimas, a testigos, o a otras víctimas), y pueden contar con dicha información mucho antes que las autoridades lo sepan y puedan implementar las medidas de protección necesarias. Los familiares de las víctimas corren un riesgo particular y significativo durante ciertos períodos críticos de venganza. Dichos períodos consisten en la etapa durante y después del arresto del presunto delincuente, durante la etapa del juicio, y durante el período donde se rinden sentencias. Es

esencial que los dispositivos de protección brindados a las víctimas sean implementados durante este período. También es importante aclarar que dichos dispositivos son importantes no solamente durante los períodos mencionados, sino también a largo plazo. Dos víctimas, sobrevivientes de la Trata y quienes formaron parte del grupo de trabajo, indicaron que aunque pase mucho tiempo después del juicio en contra de un delincuente, y aún si este ya se encuentra preso, el temor a actos de venganza es fuerte y constante entre las víctimas y sus familiares. Cabe mencionar que los menores de edad pueden ser particularmente vulnerables a la Trata, y por lo tanto requieren de dispositivos de protección adicionales.

Debido a amenazas de represalias, las víctimas de la Trata pueden rehusarse a rendir testimonio en contra de los delincuentes, lo cual produce impunidad. Los familiares de las víctimas pueden sufrir daños en su persona, estrés mental o emocional, intimidación, daño físico, e incluso la muerte. Los parientes de las víctimas que se encuentran en México pueden correr el riesgo de perder sus hogares, así como otras propiedades o ingresos que pueden ser utilizados para financiar los costos relacionados a su transporte, el cual puede ser requerido para escapar de los riesgos mencionados anteriormente. Adicionalmente, aunque el incidente de la Trata sea ilegal y los delincuentes sean detenidos en los Estados Unidos, la deuda de la víctima puede aún continuar y ser cobrada en México.

Recomendaciones:

* Es esencial proveer con información a los familiares de las víctimas de un modo continuo e inmediato, lo cual puede ser logrado al establecer vínculos de comunicación con los parientes de las víctimas que se encuentren en México. Este objetivo puede ser facilitado si se asegura que las ONGs tengan acceso a las víctimas de inmediato (dentro de un período de veinticuatro horas después de que un caso sea descubierto) y asegurando un mecanismo confidencial de comunicación entre todos los actores involucrados (ONGs, víctimas, familiares de víctimas, autoridades judiciales y policíacas).

* Debe de hacerse un análisis en cuanto al nivel de riesgo de cada caso, incluyendo el riesgo hacia la víctima, sus familiares y la ONG que le brinde apoyo. Este análisis se basará en una investigación de quienes son los delincuentes y de cuales son sus contactos.

* Debe desarrollarse un programa para brindarles protección a las víctimas y a sus familiares, el cual sea mucho más amplio y elaborado, particularmente durante los períodos críticos de vulnerabilidad a actos de venganza.

* Debe establecerse un mecanismo que elimine las deudas relacionadas con la Trata en México.

B. Otorgar Protección a las Víctimas que Deciden Regresar a México

Aquellas víctimas que decidan regresar a México requieren de protección y apoyo para lograr reintegrarse a salvo a sus comunidades, y para prevenir que vuelvan a

ser víctimas de la Trata. Dichas víctimas sufren daños psicológicos y trauma físico, y muchas de estas víctimas requieren de tratamiento psicológico y médico. No es muy claro que sucede con las víctimas que regresan a México - ¿dónde viven, cómo se les trata, qué obstáculos enfrentan, y qué oportunidades tienen de lograr acceso a los servicios que requieren?

Recomendaciones:

* Las ONGs y los gobiernos nacionales deben de establecer mejores líneas de comunicación mutua y mayor diálogo, con el fin de desarrollar un sistema de cooperación transnacional que ayude a las víctimas que regresan a su país de origen (el modelo de La Strada utilizado en Europa del Este puede servir como una base para este objetivo).

* Deben de llevarse a cabo más investigaciones y estudios para comprender mejor que es lo que sucede con aquellas víctimas que regresan a su país de origen, cuales son los obstáculos que enfrentan al reintegrarse, como se les recibe en sus comunidades de origen, y que tipo de servicios y asistencia requieren.

* Se deben de destinar mayores recursos económicos para desarrollar una amplia red de servicios para estas víctimas que deciden regresar, incluyendo servicios psico-sociales, asistencia médica y legal, y particularmente para el apoyo psicológico a largo plazo.

* Deben de desarrollarse mecanismos transnacionales para localizar y confiscar las ganancias de los delincuentes, y así utilizar dichos recursos para compensar a las víctimas (tanto en México como en los Estados Unidos) por el trabajo que fueron obligadas a llevar a cabo, y para financiar a aquellos quienes proveen servicios a dichas víctimas.

C. Protección/Apoyo para Víctimas que Sobreviven la Trata y se Encuentran en los Estados Unidos

Las víctimas que sobreviven la Trata y permanecen en los Estados Unidos también requieren, de manera continua, protección y servicios de apoyo. Sobre todo durante el proceso de adaptación a un nuevo modo de vida. Este apoyo puede incluir orientación social y cultural; apoyo para conseguir vivienda; tratamiento médico y psicológico; asistencia legal; y capacitación laboral y académica. Cabe mencionar que las víctimas de la Trata emprenden una vida de movimiento continuo y circunstancias impredecibles. Por ejemplo, se sabe que suelen verse obligados a cambiar de domicilio y/o número telefónico con frecuencia. Las víctimas que sobreviven la Trata deben de extremar precauciones para evitar ser identificados por delincuentes. Adicionalmente, dichas víctimas que se encuentran en los Estados Unidos suelen tener que vivir por largos períodos de tiempo, a veces durante años, alejados de sus familiares en México. Esto produce sentimientos de soledad, estrés e interrupción al estado normal de relaciones personales y de familia.

Recomendaciones:

* La increíble fuerza y valor de las víctimas de la Trata debe ser reconocida. Sólo así se puede lograr adquirir confianza de las víctimas y comprender el impacto emocional que les causa la Trata.

* El proceso de reunificación de familias debe ser agilizado. Esto seguramente requerirá de cooperación transnacional para resolver diversos asuntos, como el de la custodia de menores en México.

* Es necesario que se le informe a los organismos pertinentes que representan al Gobierno de México en los Estados Unidos de los casos de víctimas de la Trata. Para que así, dichos organismos puedan explicarles todos sus derechos a los ciudadanos mexicanos en el momento preciso y adecuado. Debe de tomarse en cuenta, sin embargo, que este intercambio de información está condicionado a que no se ponga en mayor riesgo a las víctimas. Por ejemplo, deben de tomarse precauciones para asegurar que las víctimas no sean identificadas por los delincuentes cuando acudan a las oficinas del gobierno mexicano. Basado en el conocimiento de que algunos delincuentes ponen vigilantes afuera del Consulado, y de que en oficinas de otros gobiernos se han descubierto nexos entre delincuentes y quienes trabajan en estas oficinas, se recomienda tomar en cuenta las precauciones necesarias.

* Las víctimas de la Trata deben de ser informadas acerca de los beneficios, así como de las consecuencias, de cooperar en la investigación/juicio de los delincuentes en los Estados Unidos, con el fin de que tomen decisiones informadas y adecuadas.

D. Protección en Contra de la Difusión de Información que Pueda Identificar a las Víctimas

Aunque se reconoce que los reportajes acerca de la Trata de personas pueden ser positivos, ya que al facilitar la difusión de este grave problema hacia el público y los gobernantes; las investigaciones y reportajes de los medios de comunicación también pueden perjudicar a las víctimas y a sus familiares. Esto sucede, por ejemplo, si se revela información que los pueda identificar, como sus nombres, identidad y el lugar del crimen. Si este tipo de información se hace pública, las víctimas y sus familiares son puestos en riesgo a actos de venganza por parte de los delincuentes y sus asociados.

Recomendaciones:

* Las investigaciones que se lleven a cabo, ya sea en México o en los Estados Unidos, deben de ser seguras y discretas. Es importante cerciorarse de establecer comunicaciones confidenciales cuando y en donde sea apropiado.

* Deben de tomarse precauciones para impedir que se den a la luz pública las identidades de las víctimas y sus familiares o el lugar del crimen, incluyendo la difusión de tales datos por parte de los medios de comunicación. Este objetivo

probablemente incluirá programas de capacitación en cuanto a confidencialidad para aquellos que se desempeñan en los medios de comunicación.

E. Corrupción/La Falta de Capacitación de las Autoridades Policiacas en los Niveles Locales

Las dos víctimas de la Trata que formaron parte de esta reunión expresaron desconfianza hacia las autoridades policiacas mexicanas en los niveles locales. En específico, declararon que se rehusarían a reportar casos de Trata a dichas autoridades debido al temor de ser tratadas como sospechosos criminales, en vez de víctimas. Cuando esta situación se repite, las víctimas no logran apreciar los beneficios de reportar casos de Trata, y la impunidad continúa.

Recomendaciones:

* El problema de la corrupción/ineficiencia debe de ser tomado en cuenta en todos los niveles de gobierno, y debe desarrollarse algún mecanismo que permita la comunicación directa entre las víctimas y las autoridades federales de México.

* Debe desarrollarse un sistema de respuesta inmediata entre México y los Estados Unidos (que también involucre a ONGs e IGOs), con el fin de que los casos de Trata sean investigados adecuadamente y de que las víctimas y testigos reciban la protección necesaria.

* Deben desarrollarse programas de capacitación con respecto a la Trata para las autoridades policiacas que se desempeñan en los niveles locales.

F. Fortalecer y Apoyar a ONGs

Las ONGs ubicadas en México reconocieron que la sociedad civil mexicana necesita fortalecerse para desarrollar su capacidad de contrarrestar el problema de la Trata de personas, el cual es un tema nuevo para esta. Una de las dificultades para las ONGs que tratan de resolver el problema de la Trata se refleja en su declaración de que no hay un sistema legal adecuado dentro de México que facilite presentar cargos en contra de los delincuentes. Es decir, a algunos casos de Trata se les puede dar seguimiento mediante leyes de migración, mientras que a otros se les da seguimiento por medio de leyes en contra de la esclavitud. Sin embargo, algunos tipos de Trata pueden evadir a la justicia bajo ambos tipos de cargos. Las ONGs también se quejaron de la falta de comunicación e intercambio de información entre ellas y las agencias gubernamentales, y de la falta de transparencia en el proceso legislativo, como factores que inhiben su trabajo y objetivos. Las ONGs expresaron que no tienen acceso a las autoridades federales, y por lo tanto no pueden obtener mayor información acerca de las víctimas de la Trata. También declararon que no existe ningún mecanismo oficial que les permita expresar tales problemas al gobierno. Las ONGs también se quejaron de la falta de recursos, y exigieron que se les otorguen fondos provenientes del erario público. También se mencionó que la comunidad de las ONGs es dispersa, por lo tanto, no es capaz de enfrentar el tema de la Trata por medio de una respuesta mejor coordinada, en la cual, por ejemplo, los recursos de estas podrían ser compartidos.

Recomendaciones:

- * El Gobierno de México debe de promulgar una ley detallada en contra de la Trata de personas, procesar más casos de Trata (como el caso Cadena) y proveer restituciones monetarias a las víctimas.
- * Deben de expandirse y fortalecerse las capacidades de las ONGs en México. Esto requiere que el gobierno brinde apoyo económico para la capacitación, entrenamiento y desarrollo de programas de las ONGs.
- * Las agencias gubernamentales de México, y las ONGs en México, deben de desarrollar mejores mecanismos de comunicación y trabajar para desarrollar mejores relaciones de cooperación que logren contrarrestar el problema de la Trata.
- * El Gobierno de México debe de proveer a las ONGs con mejor acceso a documentos e información acerca de las víctimas de la Trata.

G. La Discrepancia Entre lo que Dice la Ley y Como se Pone en Práctica

Los participantes de el grupo de trabajo notaron que aunque existan leyes, tanto en México como en los Estados Unidos, para detener a los delincuentes de la Trata y para proteger a las víctimas, debido a un desconocimiento de tales leyes, estas no son implementadas con mayor rigor o aplicadas a un mayor rango de casos. Falta conocimiento de dichas leyes entre la población en general, entre agencias policíacas a niveles locales, y hasta cierto grado, también entre las autoridades federales.

Recomendaciones:

* Deben de fomentarse y financiarse estudios e investigaciones que examinen la discrepancia entre lo que dice la ley y como se pone en práctica- ¿cómo son procesados los casos dentro de el sistema judicial; qué obstáculos existen; cómo puede mejorarse dicho sistema; cuál es la naturaleza de este crimen organizado; y, qué o cuántos tipos de Trata existen?

* Los protocolos internacionales en contra de la Trata de personas deben de ser implementados en México, y dichos protocolos internacionales deben de ser transmitidos a todos los niveles de gobierno por medio de la implementación de leyes federales. Dichas leyes deben de ser acompañadas por programas comprensivos de capacitación y de entrenamiento en todos los niveles de gobierno.

* Deben de implementarse programas transnacionales de entrenamiento y capacitación que permitan a autoridades policíacas y judiciales en los Estados Unidos y en México poder comprender las leyes y los procedimientos e infraestructura gubernamental en ambos lados de la frontera; y también, como estas se relacionan a la investigación y juicios de los casos de Trata.

APPENDIX A

**HUMAN RIGHTS CENTER
INTERNATIONAL HUMAN RIGHTS LAW CLINIC**

UNIVERSITY OF CALIFORNIA, BERKELEY

***Safety after Slavery
Protecting Victims of Human Trafficking***

**April 22 – 24, 2004
Boalt Hall School of Law
Goldberg Room**

AGENDA

Thursday, April 22nd

5:00 p.m. – 7:00 p.m. Reception: Moses Hall – Room 223

Friday, April 23rd
Goldberg Room, Boalt Hall School of Law

8:30 a.m.-9:00 a.m. Continental Breakfast and Registration

9:00 a.m. – 9:30 a.m. Welcome, Opening Remarks, and Introductions
Laurel Fletcher, Director, International Human Rights Law Clinic
Eric Stover, Director, Human Rights Center

9:30 a.m.-10:00 a.m. Introduction to the Problem and Mechanisms
Noura Erakat, Intern, Int'l Human Rights Law Clinic
Andrea Fitanides, Intern, Int'l Human Rights Law Clinic
Katie Glynn, Intern, Int'l Human Rights Law Clinic

10:00 a.m.-11:15 a.m. U.S. Case Presentations and Perspectives
Maria Jose Fletcher, Florida Immigrant Advocacy Center
Heidi Rummel, Civil Rights Section of the Criminal Division of the United States Attorney's Office
Jennifer Stanger, Coalition to Abolish Slavery and Trafficking (CAST)

11:15 a.m. - 11:30 p.m. Break

11:30 a.m.- 12:30 p.m. Survivor Perspectives: Inside and Outside
CAST client
CAST client
Ana Deutsch, Program for Torture Victims

12:30 p.m. – 2:00 p.m. Lunch (by invitation)

2:00 p.m.-3:30 p.m.	<u>Mexico Case Presentations and Perspectives</u> Elena Azaola, Center for Advanced Studies and Research in Social Anthropology Omeheira Lopez, CEFPROD HAC Fabienne Venet, Sin Fronteras
3:30 p.m.- 3:45 p.m.	Break
3:45 p.m.- 4:15 p.m.	<u>Mexico Case Presentations and Perspectives (cont'd)</u> Carlos Gorduño Salinas, Office of the Federal Attorney General of Mexico Marcela Mora Córdoba, Foreign Ministry of Mexico
4:15 p.m.- 5:30 p.m.	Discussion
6:30 p.m.	<u>Dinner: Faculty Lounge (by invitation)</u>

Saturday, April 24th
Goldberg Room, Boalt Hall School of Law

8:30 a.m.-9:00 a.m.	Continental Breakfast
9:00 a.m.-10:15 a.m.	<u>Regional Perspectives</u> Stana Buchowska, La Strada Agueda Marin, International Organization for Migration
10:15 a.m.-10:30 a.m.	Break
10:30 a.m.-12:00 p.m.	<u>Where do We Go From Here?</u> Discussant: Ann Jordan, Global Rights
12:00 p.m.	Lunch (by invitation only)

APPENDIX B

HUMAN RIGHTS CENTER
INTERNATIONAL HUMAN RIGHTS LAW CLINIC

UNIVERSITY OF CALIFORNIA, BERKELEY

Safety after Slavery
Protecting Victims of Human Trafficking

Biographies of Working Group Participants
April 22 – 24, 2004

Elena Azaola is Senior Investigator at the Center for Advanced Studies and Research in Social Anthropology located in Mexico City. She received her Ph.D in Anthropology at the same institution, and her A.B. and M.A. degrees at the Ibero-American University. She also graduated as a Psychoanalyst. She was an advisor for Children Rights at the National Commission of Human Rights (1991-1993) and is a current (since 2001) Council Member at the Federal District Commission of Human Rights. Dr. Azaola has received numerous awards and grants for the diverse research projects that she has conducted on children, youth and women's delinquency issues. Dr. Azaola coordinated the European Commission project for street children in Mexico (1997-1999).

Dr. Azaola has published more than 70 works in Mexico, as well as in other countries (Holland, Spain, Canada, Argentina, Brazil, US). Most of Dr. Azaola's research has been in the field of juvenile and women's justice institutions, violent crime, human rights, street children and violence against children. Dr. Azaola's research on commercial sexual exploitation of children (1999-2002) has been sponsored by the United Nations Children Fund (UNICEF), the National Council for Sciences and Technology (CONACYT) and the Interinstitutional Program for the North American Region Studies (PIERAN).

Stana Buchowska, M.A., is a cultural anthropologist. She is the co-founder and Polish national coordinator of "La Strada Foundation against Trafficking in Women" based in Warsaw, Poland. Within La Strada, she is responsible for the "Information and lobby campaign." She is the project coordinator for the Crises Intervention Center and a shelter for trafficked persons in Poland. Ms. Buchowska also serves as a trainer for the National Advocacy Project, an awareness-raising training promoting human rights standards for trafficked persons and several training projects for law enforcement in Poland including "The Gate," "Police Academy," RITA and ARIADNE.

Ms. Buchowska is the author and coordinator of the information and prevention campaign: “You have a right to dream, you have a right to know” (1998) and “The other side of the sun” (2001). In coordination with Anti-Slavery International, she did comparative research on: *Human Rights-Human Traffic: Redefining Victim protection*.

Ana C. Deutsch, M.A., M.F.T., is a native of Argentina. She obtained her degree in Clinical Psychology at the Catholic University of Cordoba, Argentina. She came to the United States with her family in 1977 as a political refugee. Ana was trained and practiced psychoanalysis in Argentina. After arriving in California she worked in several mental health settings with the Hispanic Community. At the same time she completed her Master Degree in Cross-Cultural Psychotherapy at the California State University, Northridge.

In 1978 Ana participated in the first study in the United States on the effects of torture, published in 1985 in the book “The Breaking of Bodies and Minds: Torture, Psychiatric Abuse and the Health Professional”, edited by the American Association for the Advancement of Science. Since then, she has been dedicated to the treatment of victims of torture. She is co-founder of the Program for Torture Victims (PTV), the first program of this kind in the United States, and since its inception in 1980 she has served as Clinical Director.

In the 80’s and early 90’s Ana has worked with the Central-American refugees. As an immigrant and refugee herself, she has been able to provide leadership in understanding the particular psychosocial issues confronted by that population. She has also participated in numerous professional local and international forums presenting on the topic of the psychosocial consequences of torture and organized violence.

As an expert in the psychological consequences of torture Ana has been called to testify in three landmark cases in the United States. In addition, she has provided expert testimony in front of the Inter-American Court of Human Rights, in Costa Rica, and is currently working in a project with the Inter-American Human Rights Institute to provide training to professionals assisting victims of torture and their families.

In her current position as PTV Clinical Director, Ana’s responsibilities include providing direct services to clients, supervising PTV clinical staff, and implementing different innovative projects at PTV, including the Healing Club and the PTV Drama Group.

Y.C. is a trafficking survivor and client of the Coalition to Abolish Slavery & Trafficking.

Noura Erakat is a Palestinian-American student-activist and a second year law student at Boalt Hall. As an undergraduate student at U.C. Berkeley, Noura was a leader of the national movement across American university campuses demanding the universities to divest from Israel. She has worked, lived, and studied in Palestine and Israel. Most recently, she worked at Adalah: The Legal Center for Arab Minority Civil Rights in Israel where she helped file briefs to the Israeli Supreme Court as well as draft answers later submitted to the International Covenant on Civil and Political Rights of the United Nations. In 2003, her radio documentary commemorating the 1982 Sabra and Shatilla massacre was nominated for the National Federation of Community Broadcasters' Golden Reel Award for "Best Local Documentary." Noura is currently touring with INCITE's "Sisterfire" tour featuring women of color artists against domestic and structural violence.

Andrea Fitanides is a second year law student at Boalt Hall and intern with the International Human Rights Law Clinic. Prior to law school, Andrea worked with a number of non-profit groups including Court Appointed Special Advocates, working on behalf of children in dependency proceedings, and the Open Society Institute, working as a debate trainer for high school students in Eastern and Central Europe. Last summer, she worked as a legal intern for an environmental litigation group. While in law school, Andrea also worked with the California Asylum Refugee Clinic representing an asylum seeker.

Laurel Fletcher is Acting Clinical Professor of Law and Director of the International Human Rights Law Clinic at Boalt Hall. Before joining the Boalt Hall faculty in 1998, Professor Laurel Fletcher practiced complex civil litigation, including representing plaintiffs in employment discrimination class actions. During her six years in private practice she actively pursued human rights projects. She organized a mission for the International Human Rights Law Group to the former Yugoslavia focusing on rape and gender-based violence.

Fletcher's work in the International Human Rights Law Clinic has involved fact-finding trips to Bosnia, the Dominican Republic and Mexico that utilize an interdisciplinary approach to human rights research and advocacy. She has written about gender-based violence and armed conflict, transitional justice, economic, cultural and social rights, and forced labor.

Fletcher directs the International Human Rights Law Clinic. She received a B.A. from Brandeis University and a J.D. from Harvard University.

Maria Jose T. Fletcher has been a supervising attorney at Florida Immigrant Advocacy Center (FIAC) and the Director of *Lucha*: A Women's Legal Project since

June 2000. Her duties include overall supervision of project staff including three staff attorneys, two paralegals, intern students and volunteers, as well as direct representation of low-income immigrant victims of domestic violence, trafficking in persons and other violent crimes. She is actively involved in local, state and national domestic violence and victim's rights organizations. Ms. Fletcher prepares and conducts educational presentations and trainings in the areas of immigration, domestic violence, and trafficking in persons in the United States and internationally. She has been invited to present at conferences, seminars and workshops by the US Department of State, the US Department of Justice and non-governmental organizations to address the needs of survivors of trafficking. Ms. Fletcher currently represents trafficked women and children whose testimony before the US Congress was instrumental in the passage of the Victims of Trafficking and Violence Protection Act of 2000. At FIAC, Ms. Fletcher has also been a staff attorney for *Lucha*; and a staff attorney for the Homeless Project, where she represented immigrant homeless individuals in obtaining access to public benefits. Ms. Fletcher is a founding member of the Freedom Network (USA) to Empower Trafficked and Enslaved Persons and an advisory board member of the National Network to End Violence Against Immigrant Women. She received a B.A. in Political Science from the University of South Florida, Tampa, Florida and a J.D. from Nova Southeastern University, Ft. Lauderdale, Florida.

Carlos Garduño Salinas is the Director of the Office of International Human Rights Instruments and Inter-Institutional Participation, Office of the Mexican Attorney General.

Mr. Garduño received his law degree from the National Autonomous University of Mexico. In addition, he has completed specialized studies in human rights from the Technological and Advanced Studies Institute of Monterrey and the Inter-American Institute for Human Rights, as well as on the subject of torture from the Office of the United Nations High Commissioner for Human Rights.

Mr. Garduño has served professionally as General Counsel for the National Autonomous University of Mexico, Sub-Director of Legal Processes for the Secretary of the Interior for the Mexican government, General Counsel for PEMEX, Coordinator of Advisors to the General Director for the Protection of Human Rights of the Mexican Attorney General's Office, and as a Director for the Mexican National Commission for Human Rights.

During his tenure with the National Commission for Human Rights, Mr. Garduño was directly responsible for the special team dedicated to the investigation of human rights violations. His team instrumentally intervened in the armed conflict in Chiapas, and responded to the massacre of Acteal as well as to armed civilian incursions in Oaxaca and Guerrero. In this position, Mr. Garduño was also

responsible for bringing relevant or related complaints before the Secretary of National Defense.

In his current position with the Attorney General's Office, Mr. Garduño has represented the Attorney General before the Commission of the Political Government on the subject of human rights. He is also one of only two attorneys to participate in a program on medical and forensic examination of torture sponsored by the Program of Technical Cooperation, a project of the government of Mexico and the Office of the United Nations High Commissioner for Human Rights. Mr. Garduño is also responsible for the litigation of cases on behalf of the Attorney General before the Inter-American Commission of Human Rights and the Inter-American Court of Human Rights.

Finally, Mr. Garduño is part of a group that offers training in the area of human rights to the National Institute of Criminal Sciences (INACIPE) as well as to various university-sponsored conferences, and federal and state agencies. Significantly, Mr. Garduño is responsible for the Attorney General's implementation of the Istanbul Protocol, also known as the Guide for the Appropriate Investigation and Documentation of Torture and other Instances of Cruel, Inhumane, or Unusual Punishment.

Katie Glynn is a second year law student at Boalt Hall. Prior to law school, Katie worked with a number of non-profit organizations dedicated to advocacy on behalf of immigrants' rights. Most recently, she worked as the Social Services Coordinator of AYUDA, Inc., a legal aid clinic serving the foreign-born population of Washington, D.C. in the areas of immigration and domestic violence.

In addition to her work with the International Human Rights Law Clinic at Boalt, Katie currently assists immigrant workers in bringing claims to the California Labor Commissioner through the Unemployment and Wage Claims Project of the Legal Aid Society-Employment Law Center in San Francisco.

Ann Jordan is director of the Initiative Against Trafficking in Persons at Global Rights (formerly known as the International Human Rights Law Group). She directs and implements a project to bring a human rights perspective to legal and social responses to the international problem of human trafficking. The Initiative works with immigrant rights, women's rights, and other NGOs in the United States, Africa, Europe, Latin America and Asia on legal reform, research, training, and advocacy. She is presently working with NGOs in Latin America and West Africa to support the development of networks and a regional strategy to coordinate activities and advocacy for a human rights-based approach to addressing the problem.

Ms. Jordan was deeply involved in the development of the new U.S. trafficking law and is presently monitoring its implementation. She was a founder of the Freedom Network (USA) to Empower Trafficked and Enslaved Persons, the premier U.S. network whose members provide social, mental health and legal assistance to trafficked persons, conduct training through the Freedom Network Training Institute and engage in advocacy for the rights of trafficked persons.

She was also deeply involved in the negotiations on the U.N. Trafficking Protocol, which entered into force on December 25, 2003. She was one of the organizers of the “Human Rights Caucus,” consisting of anti-trafficking and human rights organizations from all regions of the world. The Caucus attended all of the negotiations and successfully advocated for a comprehensive definition of trafficking and the inclusion of human rights protections for trafficked persons. She has written the Annotated Guide to the Complete U.N. Trafficking Protocol, which is available in English, German, French and Spanish on the Global Rights website.

She was also a member of the Women's Caucus for Gender Justice in the International Criminal Court and worked with the Caucus to ensure that gender-based crimes and gender balance were successfully included in the new U.N. International Criminal Court. She was also instrumental in including human trafficking as a form of slavery in the treaty.

Prior to joining the Law Group, Ms. Jordan was involved for eight years in a network of fourteen women’s rights NGOs in Hong Kong advocating for the rights of women in Hong Kong. She was also a Fulbright Scholar in the law faculties of Jilin University, Changchun, Jilin Province, China, and the City University of Hong Kong, as well as a law professor at the Chinese University of Hong Kong. Ms. Jordan earned her law and undergraduate degrees at Columbia University.

Omeheira Lopez Reyna is an attorney, social worker and director with the Center of Border Studies and Promotion of Human Rights (CEFPROD HAC, *Centro de Estudios Fronterizos y de Promocion de los Derechos Humanos*).

Ms. Lopez is a founding member of CEFPROD HAC, a Mexican organization located in Reynosa, Tamaulipas. The fundamental objective of CEFPROD HAC is the denunciation and analysis of the problematic border region. The issue of migration has been a priority for the organization and a subject of their studies since 1989.

Marcela Mora Córdoba is a lawyer with specialization in international policy. She graduated from the Universidad del Valle de Mexico. Mrs. Mora has worked at the Ministry of Public Security, the General Attorney’s Office, the Mexico City General

Attorney's Office, and the Ministry of Public Education. Today, Mrs. Mora is Director at the General Direction of Human Rights of the Ministry of Foreign Affairs. Mrs. Mora has wide experience in several issues such as legislative analysis, international negotiation on drug trafficking, children victims of crime, rights of children, and negotiation of training programs for public authorities. At the Ministry of Foreign Affairs, she is in charge of the following subjects: death penalty; internally displaced persons; torture; national institutions of human rights; trafficking of persons, in particular women and girls; elder people and other vulnerable groups; and human rights defenders.

Agueda Marin Hernandez has over five years of experience in the field of migration and over three years in Trafficking in Persons issues. As Counter-trafficking Focal Point at the Regional Office in Costa Rica, she provides technical and administrative support to various projects that prevent and combat trafficking in persons at the national and regional level. Her responsibilities also include regional programming, liaisons with governments, identification and strengthening of specific alliances with counterparts from non-governmental and international organizations.

Previous to taking her position at IOM, Ms. Marin worked as a facilitator for a multi-ethnic and multi-cultural immigrant network in United States to analyze problems and encourage discussion of cooperation through popular education workshops, cross-visits, regional, national and international conferences, and liaisons to resources.

F.A. is a trafficking survivor and client of the Coalition to Abolish Slavery & Trafficking.

Heidi Rummel is an Assistant U.S. Attorney in the Civil Rights Section of the Criminal Division of the United States Attorney's Office for the Central District of California. Ms. Rummel specializes in criminal prosecutions involving human trafficking and involuntary servitude, including forced prostitution, child prostitution, and domestic servitude. She received her undergraduate degree from the University of North Carolina at Chapel Hill. Following graduation from the University of Chicago Law School, she served as a law clerk to Judge Thomas Penfield Jackson of the U.S. District Court for the District of Columbia. After her clerkship, Ms. Rummel worked as an Assistant U.S. Attorney in the District of Columbia prosecuting local crimes. Ms. Rummel is on the Los Angeles Women's Rights Committee for Human Rights Watch and coordinates her office's participation in Public Counsel's Adoption Project.

Jennifer R. Stanger is the Training Director and a founding member of the Coalition to Abolish Slavery & Trafficking (CAST) in Los Angeles, an organization

that provides human services and human rights advocacy for survivors of slavery and trafficking. She has worked as a case manager and advocate for survivors since 1999 and collaborated with federal and local government and law enforcement by developing an inter-agency task force in Los Angeles. She has worked to build the capacity of community organizations and government agencies to identify and serve survivors of trafficking through training and technical assistance. Ms. Stanger advocated for the passage of the *Victims of Trafficking and Violence Protection Act of 2000* through media advocacy, congressional testimony and policy advocacy. She is a founding member of Freedom Network USA and currently directs the Freedom Network Institute on Human Trafficking, a national training and technical assistance project.

Eric Stover is Director of the Human Rights Center and Adjunct Professor of Public Health, University of California at Berkeley. He was the Executive Director of Physicians for Human Rights (PHR) until December 1995. Since 1993, he has served on several forensic missions as an “Expert on Mission” to the International Criminal Tribunal for the former Yugoslavia in The Hague. In March and April 1995, he conducted a survey of mass graves throughout Rwanda for the International Criminal Tribunal for Rwanda. In June 1984, Mr. Stover testified for the prosecution at the trial of leaders of the military junta that ruled Argentina from 1976 to 1983. In the early 1990s, Stover conducted the first research on the social and medical consequences of land mines in Cambodia and other post-war countries. His findings helped launch the International Campaign to Ban Land Mines, which received the Nobel Prize in 1997. Stover is presently a co-principal investigator of a large multi-institutional, four-year study of justice and social reconstruction in the aftermath of genocide and war in the former Yugoslavia and Rwanda. The study is funded by the John D. and Catherine T. MacArthur Foundation, The Rockefeller Foundation, the Hewlett Foundation, and The Sandler Family Supporting Foundation.

He is the author of numerous books, reports, and articles on medicine and human rights, including *The Graves: Srebrenica and Vukovar* (with photographer Gilles Peress/Scalo); *Witnesses from the Grave: The Stories Bones Tell* (Little, Brown, Inc.), which was named one of the ten best books of 1991 by the *New York Times Book Review*; *The Breaking of Bodies and Minds: Torture, Psychiatric Abuse, and the Health Professions* (W.H. Freeman); *Medicine Under Siege in the former Yugoslavia 1991 -1995* (Physicians for Human Rights); *Landmines: A Deadly Legacy* (Physicians for Human Rights and Human Rights Watch); and *A Village Destroyed: May 14, 1999 -- War Crimes in Kosovo* (University of California Press, 2002). In 2004, Stover will publish *The Witnesses: War Crimes and the Promise of Justice in The Hague* (University of Pennsylvania Press), and an edited volume, with Harvey Weinstein, entitled *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. His articles and photographs have appeared in the *Smithsonian*, *The New York Times*, *Science*, *The Washington Post*, *New England Journal of Medicine*, *The Journal of the American Medical Association*, *New Scientist*,

Historical Archaeology and other professional journals. In 1992, he wrote and co-produced a NOVA-WGBH documentary on the search for the graves of Butch Cassidy and the Sundance Kid in Bolivia.

During the Iraq war (March and April 2003), Stover was in northern Iraq where he monitored compliance with the 1949 Geneva Conventions for Human Rights Watch. He returned to Iraq on behalf of Human Rights Watch in February 2004.

Fabienne Venet, a sociologist, is the Executive Director of Sin Fronteras, a Mexican not for profit organization dedicated to the human rights of migrants and refugees. Previously she was a consultant to the UNHCR Regional Office in Mexico and Coordinator of the Migrants Studies Programme at the Mexican Academy for Human Rights. She is a member of the Migration Forum in Mexico, the Regional Network of Civil Organizations for Migration and the Consejo Mexicano de Asuntos Internacionales. She participated in the Mexico-US Group on Migration convened by the International Migration Policy Program of the Carnegie Endowment for International Peace and the Department of International Studies of the Instituto Tecnológico Autónomo de México. She is involved in the Guatemala-Mexico Binational Group on Migration and Development. Ms Venet has 15 years of experience in the fields of migration, human rights and civil society.

Stephanie Yang is a Senior Program Officer at the Women's Foundation of California. She manages several funds at the Foundation, including the Community Action Fund, the Race, Gender and Human Rights Fund and the Sisterhood Fund, a grantmaking program for and by young women, which develops leadership skills and strengthens the diverse voices of young women in California. She is a strong advocate for youth engagement in philanthropy, and wrote a book entitled, *The World Belongs to Us: young women, leadership & philanthropy*. She also manages the Foundation's work on transportation justice promoting community based mobility solutions through a human rights framework. Stephanie received her BA from UCLA and her MA in French Literature from Tulane University where she specialized in film and feminist theory. She is a board member of Resource Generation and will be joining the Board of Directors of WILD for Human Rights in June 2004.

Enrique E. Zepeda V. is the Regional Attaché of the Office of the Attorney General of Mexico (PGR) at the Mexican Consulate General in Los Angeles, California.

Mr. Zepeda acts as Legal and Law Enforcement Liaison for the Western States of the U.S. and is responsible for the legal cooperation in criminal matters between Mexico and the U.S., including locating fugitives and facilitating extradition proceedings in the U.S., as well as the exchange of information or evidence (statements, depositions,

obtaining documents) required for prosecution of crimes on both sides of the border. Based on Article 4 of the Mexican Federal Penal Code, he is also responsible of providing support to foreign law enforcement authorities and individuals interested in the prosecution and trial in Mexico for crimes committed in the U.S. In this respect, and as representative of the Mexican Public Ministry, criminal complaints can be filed directly with his office.

Mr. Zepeda was Associate Legal Attaché of the PGR in San Antonio, Texas, from November 1993 until February 1997. From February 1997 until July 2002, he was an Associate Legal Attaché for the European Union and Switzerland, in Madrid, Spain. From August to December 2002, the Attorney General of Mexico appointed him as the Legal Attaché for Central America at the Mexican Embassy in Guatemala; and from January 2003 until the present he serves as the Regional Attaché of the Office of the Attorney General of Mexico at the Mexican Consulate General in Los Angeles, California.

Concerning criminal matters between Mexico and the United States, Mr. Zepeda has participated in the Fourth Bi-national Prosecutors Seminar: The United States and Mexico (Albuquerque, New Mexico. Jun 20-22, 1994); the Criminal Law Enforcement Conference (Austin, Texas Oct. 1994); the Border Weapons Seminar (El Paso, Texas, Oct. 1994); the Fifth Bi-national Meeting of Prosecutors from Mexico and the U.S. (Nov. 21-23, 1996 Chihuahua, Chihuahua); and Fourth Bi-national Seminar for Strengthening Prosecution between the Office of the Attorney General of Mexico and the Department of Justice of the U.S. (Mar. 11-13, 2003, Mexico City).

While in Europe, he was a representative of Mexico in international working groups at the Center for International Crime Prevention of the United Nations in Vienna, Austria including, the Global Programme against Corruption; the Global Programme against the Trafficking in Human Beings; and Assessing Transnational Organized Crime Groups. He also participated in meetings at the Commission on Crime Prevention and Criminal Justice. At the Council of Europe in Strasbourg, as representative of Mexico, an observant member, he participated in the European Committee on Legal Co-operation (CDCJ), a body that identifies priorities for intergovernmental legal co-operation, makes proposals to the Committee of Ministers on activities in the fields of public and private law, and implements these activities. He also participated in the European Committee on Crime Problems (CDPC), a body that identifies priorities for intergovernmental legal co-operation, makes proposals to the Committee of Ministers on activities in the fields of criminal law, criminology and penology; and attended meetings of the Group of States against Corruption (GRECO).

He has been a speaker at seminars in the United States, Spain, and Guatemala addressing the issue of international legal cooperation in criminal matters and extradition, as well as reforms of the Mexican criminal justice system.

APPENDIX C

Human Rights Center
International Human Rights Law Clinic
University of California, Berkeley

Safety after Slavery
Protecting Victims of Human Trafficking

Working Group Meeting
April 22 – 24, 2004

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**Two survivors of trafficking also joined the Working Group whose identity and contact information is not listed and shall remain confidential.