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Trafficking in Persons: Child Protection Compacts

Introduction

Child Protection Compacts (CPCs) are bilateral, multiyear foreign assistance packages designed to combat child trafficking. Authorized by Congress in 2013, CPCs are one of several international anti-trafficking programs administered by the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons (TIP Office). CPCs are unique among anti-trafficking programs in their focus on child trafficking, which encompasses forms of forced and bonded labor, including forced begging, the prostitution of minors, and the recruitment and use of child soldiers. To date, the United States has established four CPCs (**Figure 1**).

CPCs, referred to by the U.S. Department of State as CPC “Partnerships,” align with the U.S. government’s broader “3P” paradigm to combat severe forms of trafficking in persons through the *prosecution* of traffickers, *protection* of victims, and *prevention* of trafficking. In 2009, the State Department added a fourth “P” to the 3Ps, to include *partnerships*. Reflecting shared political will to combat child trafficking, CPCs also involve financial or other commitments from host nations.

Origins

Legislative initiatives to establish CPCs were first introduced in the 111th Congress (H.R. 2737 and S. 3184). The concept drew in part from the experiences of the Millennium Challenge Corporation, which uses bilateral, government-to-government “compacts” to advance economic development. The concept also reflected a broader U.S. government approach to foreign assistance, which incentivizes shared commitments and buy-in among stakeholders. Adopting a similar approach, CPCs involve collaboration with the host government, civil society, and private sector to design targeted aid packages to address context-specific child trafficking challenges.

Authorization for CPCs was ultimately enacted in the Violence Against Women Reauthorization Act (VAWA) of 2013 (P.L. 113-4; 22 U.S.C. 7103a). Section 1202 of that act stated that the CPCs would

- prevent and respond to violence, exploitation, and abuse against children, and
- measurably reduce the trafficking of minors by building sustainable and effective systems of justice, prevention, and protection.

CPCs were first funded in the Consolidated Appropriations Act, 2014 (P.L. 113-76), which directed that \$5 million in International Narcotics Control and Law Enforcement (INCLE) assistance be used for this purpose. In years since, \$5 million has typically been directed for CPCs in annual

appropriations, with the exception of FY2015, when CPC funding was included as part of a larger \$12 million directive for the TIP Office.

Selection and Implementation

Through VAWA 2013, Congress authorized the selection of CPC countries according to criteria set by the Secretary of State in consultation with the Secretary of Labor and the Administrator of the U.S. Agency for International Development (USAID). These criteria are to include a high prevalence of child trafficking and a commitment to address the issue on the part of the partner government. In determining partner country eligibility, the TIP Office considers information from its annual reports, as well as each country’s national action plans relating to human trafficking. (For more on the TIP report’s ranking of countries’ anti-trafficking efforts, see CRS Report R44953, *The State Department’s Trafficking in Persons Report: Scope, Aid Restrictions, and Methodology*.)

State Department officials work with foreign authorities to develop the CPC partnership agreement. According to VAWA 2013, U.S. assistance may take “the form of grants, cooperative agreements, or contracts with national governments, regional or local governmental units, or non-governmental organizations or private entities.” CPCs may be terminated if a country engages in activities counter to the United States’ national security interest or inconsistent with the criteria that made it eligible for the CPC, or has failed to fulfill its CPC commitments.

Figure 1. CPC Duration and Initial Funding



Source: U.S. Department of State, “Child Protection Compact Partnerships,” adapted by CRS Graphics.

Note: Subsequent, additional funding noted in country narratives.

Country Compacts

The four CPCs to date have been funded in the range of \$3.5-5 million, with a time frame of four to five years. Selected countries have been identified as experiencing issues relating to child trafficking by the annual TIP reports. Partner governments have demonstrated varying levels of interest and success in addressing these issues, as reflected

by the range of TIP rankings they have received. While P.L. 113-4 does permit providing aid directly to the foreign government, in practice, funding has always been awarded to nongovernmental implementing partners.

Ghana

The United States and Ghana partnered to address child labor in the Ghanaian cocoa industry in the years leading to the CPC. This working relationship provided a foundation for the first-ever CPC in June 2015. According to the five-year agreement, the United States intended to provide “direct financial support” to nongovernmental implementing partners. This CPC is the only CPC that did not include a specific intended financial contribution on the part of the United States. The Government of Ghana also did not commit to a specific financial contribution, but it did pledge to increase the budget of relevant ministries and establish a CPC technical committee, among other commitments. In October 2015, the TIP Office awarded \$5 million to the U.N. International Organization for Migration (IOM) and Free the Slaves for CPC activities in Ghana. The TIP Office plans to provide an additional \$1.3 million to extend activities to early 2020.

Status. Ghana’s ranking in the TIP Report has improved over the course of its CPC—moving from the Tier 2 Watch List in 2015 to Tier 2 in 2018 and 2019. A Tier 2 ranking indicates that Ghana does not meet the minimum standards for eliminating severe forms of human trafficking, but that it is making significant efforts to do so. The TIP Office conducted a midline evaluation of the CPC in September 2018. Despite some improvements (more investigations, greater public awareness), CPC programming faced challenges, including delays, understaffing, limited resources, bureaucratic reluctance, and cultural acceptance of child labor.

The Philippines

In April 2017, the United States entered into a four-year CPC with the Philippines. In April 2017, the TIP Office awarded \$3.5 million (the amount specified in the agreement) to the International Justice Mission and the Salvation Army in support of the CPC. The Philippines has committed to providing 40 million Philippine pesos (approximately U.S. \$800,000) and additional staffing and other resources in support of CPC activities.

Status. The Philippines has maintained a Tier 1 ranking in the TIP Report since 2016, indicating that it meets the minimum standards for eliminating severe forms of trafficking in persons. However, some advocates have objected to its Tier 1 ranking, due to the prevalence of domestic sex trafficking and vulnerability of Filipino migrant workers. The State Department’s 2018 human rights report notes that the Philippines is a “top global internet source of online child pornography,” and that “child labor remained a widespread problem.”

Peru

In June 2017, the United States entered into a four-year CPC with Peru. Announcement of the CPC followed recent bilateral efforts to address trafficking in Peru, including a memorandum of understanding (MOU) concerning small-

scale gold mining, signed in February 2017. In October 2017, the TIP Office awarded \$5 million (the amount specified in the agreement) to the International Labor Organization and Centro Yanapanakusun, a local nongovernmental organization (NGO), for CPC activities. The Government of Peru stated its intention to provide at least 8 million soles (approximately U.S. \$2.4 million) and to dedicate more personnel to its Multisectoral Commission Against Trafficking in Persons and Smuggling of Migrants.

Status. Peru has maintained its Tier 2 ranking on the TIP Report since 2017. The State Department’s 2018 human rights report found that children remained “in the worst forms of child labor, including ... in commercial sexual exploitation, sometimes as a result of human trafficking.”

Jamaica

Signed in May 2018, Peru’s CPC agreement stated the TIP Office’s intention to provide \$4.5 million over four years, but the office subsequently awarded \$5 million to IOM, the Warnath Group, and Winrock International for CPC activities. Jamaica did not commit to a specific financial support for CPC activities, but it agreed to dedicate “appropriate” staff and financial resources and to ensure the cooperation of relevant government offices.

Status. Jamaica has remained at a Tier 2 ranking in the TIP Report since the beginning of the CPC. The State Department’s 2018 human rights report found that commercial sexual exploitation was prevalent and that children were “victims of forced labor in domestic work.”

Mongolia

On August 26, 2019, the State Department announced that it had begun negotiations for a CPC with the Government of Mongolia. Mongolia was upgraded from the Tier 2 Watch List to Tier 2 on the 2019 TIP report.

Policy Issues

For FY2020, the Department of State, Foreign Operations, and Related Programs Appropriations Act (S. 2583) would continue funding CPCs at \$5 million. The accompanying committee report (S.Rept. 116-126) recommended that funds “be prioritized for countries with the greatest need.” As Congress conducts oversight of anti-trafficking programs and considers funding new CPCs, it may consider the following issues:

- The effectiveness of these programs in combating child trafficking—and whether additional compacts are warranted.
- Whether CPC countries have been selected for the “greatest need” of anti-trafficking support.
- Whether the partner government commitment criteria in VAWA 2013 are being applied.
- How CPC objectives differ from those of other anti-trafficking programs.
- Whether the objectives are realistic given typical funding levels.

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