

October 18, 2007

The Honorable Joseph Biden  
Chairman  
Foreign Relations Committee  
United States Senate  
439 Dirksen  
Washington, DC 20510

The Honorable Tom Lantos  
Chairman  
Foreign Affairs Committee  
United States House of Representatives  
2170 Rayburn  
Washington, DC 20515

The Honorable Richard Lugar  
Ranking Member  
Foreign Relations Committee  
United States Senate  
450 Dirksen  
Washington, DC 20510

The Honorable Illeana Ros-Lehtinen  
Ranking Member  
Foreign Affairs Committee  
United States House of Representatives  
B-360 Rayburn  
Washington, DC 20515

Dear Chairmen Biden and Lantos and Ranking Members Lugar and Ros-Lehtinen:

As organizations committed to eliminating all forms of trafficking in persons, we urge you to take action now to end the persistent exploitation, abuse and trafficking of domestic workers, predominantly women, by foreign diplomats within the United States.

As you know, the United States gives the employees of foreign missions and international organizations the privilege of bringing household and childcare workers into this country on special A-3 and G-5 visas. Each year, more than 3,000 A-3 and G-5 visas are issued. The State Department requires diplomats, before receiving these visas, to sign an employment contract with their domestic employees that comports with our laws and guarantees fair working conditions. However, these requirements are often violated and other extreme forms of violence and abuse are perpetrated against these women. The current system is marked by a lack of oversight and accountability that allows members of the diplomatic community to traffic and exploit their workers.

Although this is not a new problem, media reports of severe abuse and exploitation by diplomats have become increasingly commonplace. Yet, without exception, none of these diplomat traffickers has been brought to justice through criminal prosecutions nor have their domestic workers succeeded in holding them civilly accountable. Diplomatic immunity shields them from criminal or civil jurisdiction in the United States. As a result, their victims are unprotected and unable to seek the restitution and redress provided by United States law. The effect of diplomatic immunity is that, under the cover of foreign relations, diplomat employers can enslave their workers with indifference to our constitutional and statutory prohibitions on slavery, without repercussion.

Congress passed the **Trafficking Victims Protection Act of 2000 (TVPA)** with broad bipartisan support in order to punish traffickers, protect victims and prevent trafficking from occurring. When it reauthorized the program in 2003, it created civil remedies for

trafficking victims, recognizing that such damage awards would compensate victims and deter their traffickers.

Now, as Congress moves to reauthorize the **TVPA** this month, it has the opportunity to close this gap in accountability by ensuring that foreign diplomats entitled to immunity cannot continue to perpetrate trafficking violations in the United States with impunity. The United States is legally and morally obligated to ensure that diplomatic immunity does not sanction modern-day slavery on our shores.

Congress must ensure that no class of traffickers is exempted from punishment and no class of victims remains unprotected. Simple solutions – some modeled on current U.S. laws – exist to prevent the trafficking of domestic workers by diplomats and to protect those who are victimized. But when prevention fails, Congress should provide these victims with the opportunity to be compensated by their traffickers.

We look forward to working with you to end this deeply troubling practice on American soil.

Thank you for your attention to this important matter.

Sincerely,

American Civil Liberties Union  
Andolan: Organizing South Asian Workers  
Asian American Legal Defense and Education Fund  
Boat People SOS  
Break the Chain Campaign  
CASA of Maryland  
Center for Women Policy Studies  
City University School of Law,  
Immigrant Initiatives  
Coalition of Immokalee Workers  
Delaware Coalition Against Domestic Violence  
Desiree Alliance  
Domestic Workers United  
End Child Prostitution, Child Pornography and Trafficking of Children for Sexual  
Purposes-USA  
Family Violence Prevention Fund  
Florida Immigrant Advocacy Center  
George Washington University Law School,  
Domestic Violence Legal Empowerment and Appeals Project  
Global Rights  
Human Rights Watch  
International Labor Rights Forum  
International Institute of Buffalo  
Iowa Coalition Against Domestic Violence

Legal Services of Southern Piedmont  
Medical Mission Sisters Alliance for Justice  
Mujeres Unidas y Activas  
National Asian Pacific American Women's Forum  
National Economic and Social Rights Initiative  
National Employment Law Project  
Northwest Immigrants Rights Project  
Northwest Women's Law Center  
Pace Women's Justice Center  
Pennsylvania Coalition Against Domestic Violence  
San Francisco Day Labor Program Women's Collective of La Raza Centro Legal  
Tahirih Justice Center  
University of Cincinnati College of Law,  
Domestic Violence and Civil Protection Order Clinic  
University of Maryland School of Law,  
Immigration Clinic  
Urban Justice Center  
Washington Lawyers Committee for Civil Rights and Urban Affairs,  
Immigrant and Refugee Rights Project  
WEAVE  
Women's Law Project

cc: House Foreign Affairs Committee Members  
Senate Foreign Relations Committee Members