



DEPARTMENT OF THE NAVY
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14 Apr 10

OPNAV INSTRUCTION 5300.11

From: Chief of Naval Operations

Subj: COMBATING TRAFFICKING IN PERSONS

Ref: (a) USD Memo of 6 Mar 2008 (NOTAL)
(b) 22 U.S.C.
(c) 18 U.S.C. 3261 and 3267(1)(A)
(d) DoD Instruction 2200.01 of 16 Feb 2007

1. Purpose. To issue policies, prescribe procedures, and assign responsibilities regarding combating trafficking in persons (CTIP) programs especially for training and awareness. This is the initial issuance of this instruction and should be read in its entirety.

2. Background

a. In June 2002, the Inspector General of the Department of Defense (DoD) initiated a Human Trafficking Assessment Project in response to concerns expressed by 13 Members of Congress regarding media reports that "U.S. military personnel, particularly those stationed in South Korea, are engaged in activities that promote and facilitate the trafficking and exploitation of women."

b. In March 2008, the Under Secretary of Defense released reference (a) detailing the criminal nature of trafficking in persons (TIP) and outlined DoD's policy on CTIP and CTIP awareness training requirements necessary to prevent, mitigate, or avoid either purposefully or unwittingly participating in those activities, including sexual exploitation, forced prostitution, involuntary servitude and debt bondage.

3. Definitions. The following terms used in this instruction are defined in section 7102 of reference (b). The Navy shall uniformly apply these terms in issuing implementing instructions and regulations.

a. Coercion

(1) Threats of serious harm to or physical restraint against any person;

(2) Any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or

(3) The abuse or threatened abuse of the legal process.

b. Commercial Sex Act. Any sex act on account of which anything of value is given to or received by any person.

c. Debt Bondage. The status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

d. Involuntary Servitude. Includes a condition of servitude induced by means of:

(1) Any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, the person or another person would suffer serious harm or physical restraint; or

(2) The abuse or threatened abuse of the legal process.

e. Severe Forms of TIP. The term "severe forms of TIP" means:

(1) Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age; or

(2) The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

14 Apr 10

f. Sex Trafficking. The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act.

4. Policy. It is Navy policy to:

a. Oppose prostitution, forced labor, and any related activities that may contribute to the practicing of TIP as inherently harmful and dehumanizing. TIP is a violation of U.S. law and internationally recognized human rights, and is incompatible with DoD core values.

b. Deter activities of Navy Service members, civilian employees, indirect hires, contract personnel, and command-sponsored dependents that would facilitate or support TIP, domestically and overseas.

c. Educate all Navy Service members and civilians annually on the worldwide trafficking problem, national TIP policy, overseas theater TIP policy, and attendant personal responsibilities consistent with DoD core values and ethical standards.

d. Increase efforts by commanders and military police worldwide, within their authorities, to pursue indicators of TIP in commercial establishments patronized by Navy personnel, place offending establishments off-limits, and provide support to host country authorities involved in the battle against TIP. Commanders and Navy Security Forces should meet periodically with host nation non-governmental organizations (NGOs) to review TIP-related issues and prevention initiatives.

e. Pursuant to reference (c), incorporate provisions in service contracts that support the Navy's mission overseas to prohibit Navy contractors, subcontractors at all tiers, and their employees from conducting activities that support or promote TIP; impose suitable penalties on those who fail to abide by U.S. law, and on those who fail to monitor their employees' actions for compliance with U.S. law.

f. Incorporate anti-TIP and TIP-protection measures for vulnerable populations, in particular for women and children,

into post-conflict and humanitarian emergency assistance programs (section 7104(h) of reference (b), and per reference (d)).

5. Responsibilities

a. Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education) (CNO (N1)) shall:

(1) Designate Director, Training and Education Division (OPNAV (N15)) as the primary office with responsibility for CTIP program management.

(2) Ensure compliance with this instruction; establish policies and procedures to implement the Navy's CTIP awareness program within their cognizance.

(3) Provide CTIP program data on an annual basis, or as required, to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) per reference (d).

(4) Within 30 days of revision to reference (d), update this instruction.

b. Commander, Naval Education and Training Command shall:

(1) Include CTIP awareness training in service institutional leadership training curricula for officer and enlisted Service members.

(2) Host CTIP awareness training on Navy E-learning via Navy Knowledge Online (NKO) portal.

c. Navy Component Commanders should coordinate with combatant commanders to ensure theater requirements are identified and provided to appropriate organizations for implementation.

d. Commanding Officers of Overseas Naval Installations shall, where feasible, establish a memorandum of understanding with local law enforcement and NGOs that work with victims of TIP and prostitution at or near overseas naval installations to provide support to the Department of the Navy CTIP program.

14 Apr 10

e. All Commanding Officers and Officers In Charge shall ensure that CTIP training is completed by all military and civilian employees in their respective commands on an annual basis. Training should be documented via NKO or fleet Navy training management and planning system.

6. Records Management. Records created as a result of this instruction, regardless of media and contact, shall be managed per Secretary of the Navy Manual 5210.1 of November 2007.



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