

2000

Legislative Watch

Human Rights Brief

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Recommended Citation

Human Rights Brief. "Legislative Watch." Human Rights Brief 8, no. 1 (2000): 22

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LEGISLATIVE WATCH

Legislative Watch reports on pending U.S. legislation relevant to human rights and humanitarian law. This list is not meant to be comprehensive.

Trafficking Victims Protection Act of 2000, H.R. 3244/S. 2449

Major Sponsor: Rep. Christopher H. Smith (R-NJ)/Sen. Sam Brownback (R-KS)

Status: Referred to Senate Committee on Foreign Relations on April 13, 2000. Passed Senate with an amendment by unanimous consent on July 27, 2000. House conference to reconsider the Senate amendment held on September 28, 2000.

Substance: This bill targets the trafficking of women and children into the United States for purposes of enslavement, forced or bonded labor, prostitution, and other violent or sexual uses, by establishing effective modes of punishment for traffickers and by providing protection and support to their victims. The bill directs the president to create an interagency task force, chaired by the Secretary of State, to monitor and assess the progress made by the United States and other countries in their efforts to combat trafficking and to coordinate the implementation of the Act. In the case of those victims trafficked into the United States, the bill amends the Immigration and Naturalization Act by allowing the Attorney General to grant a new, non-immigrant "T" visa to those victims who would face hardships if deported. In addition, the bill requires the president to withhold non-humanitarian assistance to countries that do not meet the Act's minimum trafficking standards. The Act also amends the Federal Criminal Code to double the maximum penalties for traffickers; to add the possibility of life imprisonment for trafficking violations that result in death, kidnapping or other aggravated forms of abuse; and to require convicted traffickers to provide restitution to their victims.

United Nations Rapid Deployment Police and Security Force Act of 2000, H.R. 4453

Major Sponsor: Rep. James P. McGovern (D-MA)

Status: Referred to the House Committee on International Relations on May 15, 2000, and to the House Subcommittee on International Operations and Human Rights on June 12, 2000.

Substance: This bill encourages the UN to form a Rapid Deployment Police and Security Force that will act under the authority of the UN Security Council. The combination police and military force will consist of no more than 6,000 volunteers

chosen from UN member nations. The Security Council may rapidly deploy the force for up to six months when it deems intervention by the international community is necessary to prevent gross human rights violations or breaches of the peace. In addition, the UN Rapid Deployment Police and Security Force personnel will promote participation in international peace operations by training the military and civilian police of UN member nations.

Human Rights Investment Act of 2000, H.R. 5196

Major Sponsor: Rep. Benjamin A. Gilman (R-NY)

Status: Referred to the House Committee on International Relations on September 18, 2000.

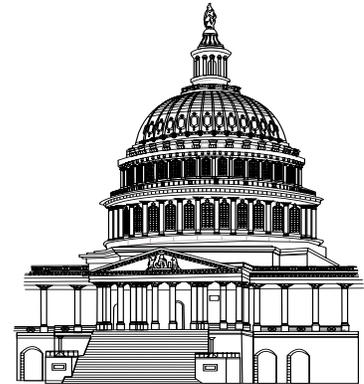
Substance: This bill promotes, defends, and advances democracy and human rights in United States foreign policy. The bill provides financial support to the Bureau of Democracy, Human Rights, and Labor, including funding for salaries, expenses, and the creation of new positions, and to U.S. human rights development missions abroad. By providing U.S.\$32 million for fiscal years 2001 and 2002, the bill establishes a Human Rights and Democracy Fund whose primary objective is to support human rights defenders and victims of human rights violations. In addition, the bill creates a weapons monitoring program to ensure that no U.S. military assistance or weapons manufactured in or sold from the United States aid in the perpetration of gross human rights violations. U.S. military assistance includes education, training, antiterrorism support, narcotics control, and other counter-drug measures provided under the Foreign Assistance Act of 1961. The bill also authorizes U.S.\$50 million in appropriations for the National Endowment for Democracy during each of the fiscal years 2001 and 2002.

Corporate Code of Conduct Act, H.R. 4596

Major Sponsor: Rep. Cynthia Ann McKinney (D-GA)

Status: Referred to the House Subcommittees on International Economic Policy and Trade, and on International Operations and Human Rights on July 17, 2000.

Substance: This bill was introduced following protests against the World Trade Organization in Seattle, Washington, and



the World Bank and International Monetary Fund in Washington, D.C., regarding the "unregulated expansion of globalization." Recognizing the reputation that numerous U.S. foreign business operations have for disregarding employees, the bill demands U.S. nationals who employ more than 20 persons abroad, either directly or through subsidiary companies, subcontractors, affiliates, joint ventures, partners, or licensees (including any security forces), to implement and maintain a specific Corporate Code of Conduct (Code) toward employees. The Code is designed to promote good faith, compliance with internationally recognized labor and environmental laws and conformity with minimum international human rights standards. In particular, the Code prohibits the use of child and forced labor; employment discrimination based on race, gender, ethnicity, or religious beliefs; and the practice of firing pregnant employees or forcing employees to use birth control. The bill works to ensure the fulfillment of the Code in three ways: the bill provides preferred financial assistance and other trade benefits to entities that comply with the standard; the bill requires the Secretary of Commerce, the Secretary of Labor, the Secretary of State or the Administrator of the Environmental Protection Agency to terminate all contracts entered into with entities that violate the standard; and lastly, the bill establishes a private right of action for employees to petition for an investigation by the appropriate federal official of any alleged violations of the Code. ☉