



Tribal Governments and Leaders can take action to prevent the commercial sexual exploitation, or sex trafficking, of their children and youth. Being part of a comprehensive community response can help create a circle of protection for Native youth. While the partners that contribute to this protective circle are many, Tribal Governments and Leaders are uniquely situated to explore how they can:

1. Exercise tribal sovereignty to protect the children in their communities.
2. Examine their own knowledge and understanding of sex trafficking in their community.
3. Incorporate sex trafficking criminalization into tribal codes.
4. Authorize programs to address trafficking.
5. Develop capacity to ensure tribal perspectives are reflected in laws and policies that affect Native children and youth.

Tribal Practice Example – Navajo Nation

Navajo Nation amended their tribal code in 2017 to include not only the criminalization of trafficking, but to also acknowledge jurisdictional boundaries and call for increased collaboration with other organizations around this issue. To address problems that emerged following the 2017 law, Navajo Nation amended the Navajo Nation Department of Family Services' 2018 Title IV-E Guidelines and Handbook and passed additional legislation to specifically help better protect Navajo children who may be victims of trafficking.

- [Navajo Nation Government](#)
- [Navajo Nation approves legislation to protect Navajo children from human trafficking.](#)
- [Navajo President on Human Trafficking: "It does happen here on the Navajo Nation"](#)



Tribal Infrastructure

Since tribal governments maintain the power to determine their own structures, pass laws, and enforce laws through police departments and tribal courts, responses to sex trafficking can look very different across Indian Country. Tribes can consider their existing infrastructure as they explore how best to protect their children. For example, some tribes may be receiving Title IV-E funds directly or under a tribal-state partnership which has certain requirements that must be met with regard to addressing sex trafficking. Others may have chosen to align their tribal codes with the federal Violence Against Women Act. Tribes located in states that have implemented higher ICWA standards or have other tribal-state agreements in place, very rural tribes, and tribes that have more jurisdictional boundaries to cover will all have different infrastructures to consider.

“Tribal governments prove that local decision-making and solutions work best: An extensive body of research built over the past three decades concludes that Tribal self-determination/self-governance is the only policy that has ever succeeded in improving the lives of Native people and the quality of life in Tribal communities. Why? Because just like state and local governments, Tribal governments know best the nature and intricacies of the particular challenges their communities face, and are best- positioned and best-equipped to forge informed, innovative solutions capable of overcoming them. ...” - Tribal Infrastructure: Investing in Indian Country for a Stronger America (NCAI)



Tribal Trafficking Laws

Some tribes have passed their own laws prohibiting sex trafficking on their reservations. Visit Tribal Trafficking Laws from the Tribal Law and Policy Institute for information on trafficking code development and tribal examples.

Additional Resources

“Tribal leadership is key to addressing trafficking.” - Imus-Nahsonhoya (Hopi), Victim Advocate - Identifying, tracking and preventing human trafficking in Indian Country

Human & Sex Trafficking: Trends and Responses across Indian Country

Summarizing sex and labor trafficking in Native communities, with an emphasis on the historical legacy of tribal trafficking by non-Natives, this document reviews risk factors that make individuals vulnerable to being trafficked and explains the gaps and challenges to determining the scope and prevalence of trafficking within Native communities. It also reviews several codes tribes have passed to combat human trafficking within their borders and offers recommendations to tribal nations in their efforts to prevent trafficking in its many forms.

Phone: 1-800-871-8702

Email: info@cbc4tribes.org

Web: www.tribalinformationexchange.org



This resource was created by the Capacity Building Center for Tribes, and has been updated by NTCWCIA.