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Modern-Day Slavery on D.C.'s Embassy Row?

By E. Benjamin Skinner

In Washington on Monday morning, June 14, Hillary Clinton unveiled the State Department's 10th annual report on modern-day slavery, which evaluates the efforts of every nation to combat the crime. For the first time, State ranked the antislavery efforts of the U.S. alongside those of 174 other countries. The U.S. rated itself as being in full compliance with the Trafficking Victims Protection Act (TVPA). But the report appears to have ignored a new congressional mandate to identify specific cases of countries whose diplomats allegedly harbored slaves within a few miles of Clinton's remarks — even though it indicates that such cases exist.

The congressional mandate was prompted in part by the abuses of a Tanzanian diplomat named Alan Mzeni, who was minister of consular affairs at his country's embassy in Washington. In a January 2008 ruling, a U.S. district court judge found that Mzeni and his wife forced a 20-year-old woman named Zipora Mazengo into domestic slavery in their six-bedroom Bethesda, Md., home. In her April 2007 lawsuit against the couple, Mazengo, by then 27, said that as soon as she arrived from Tanzania in June 2000, the diplomat confiscated her passport and her employment contract. For the next four years, Mazengo said, the Mzenis forced her to perform domestic work 112 hours per week for no pay. At night she shared a room with the Mzenis' infant, one of three children under her responsibility. ([See a summary of the 2009 Trafficking in Persons Report.](#))

She claimed that the diplomat taunted her, his wife beat her, and both forbade her from leaving the home unaccompanied — even when her sister was dying in Tanzania. Mazengo's ingrown toenails festered to the point where she could no longer wear shoes, yet the Mzenis denied her medical treatment for two years and forced her to shovel snow barefoot. When they finally allowed her emergency surgery, they ignored her doctor's orders and put her back to work the same day. Finally, in August 2004, Mazengo escaped with help from a customer of the Mzenis' side business, a catering service. ([See South Africa's struggle to address a new slave trade.](#))

Mzeni's abuses outraged the late Congressman Tom Lantos, a California Democrat who himself was a survivor of forced labor as a young man. In 2007 he demanded that the Tanzanian diplomat "be kicked out of the country" by the State Department. Shortly thereafter, the Government Accountability Office (GAO) faulted State's insufficient response to some 42 domestic workers who between 2000 and 2008 had accused foreign diplomats of abuse on U.S. soil. The number of unknown cases, the GAO found, was likely much higher. The 1961 Vienna Convention shields diplomats and their families from many types of prosecution by their host countries, and some diplomats have used that status to intimidate their servants into silence about abuses.

Lantos, together with Representatives John Conyers and Howard Berman, added protections for the servants of diplomats to the 2008 reauthorization of the TVPA. This year, Congress used an appropriations bill to press State to go a step further, mandating that "the Secretary should include all trafficking cases involving [servants of diplomats] in the Trafficking in Persons annual report where a final civil judgment has been issued." This year's report omitted such cases.

Clinton's special adviser on human trafficking defended her record in pressing for greater protections for domestic servants of diplomats. "The Obama Administration has done more than any previous Administration to address the unique vulnerabilities of domestic workers to trafficking in persons," argued ambassador Luis CdeBaca, whose Office to Monitor and Combat Trafficking in Persons drafts the report and who had previously, as a congressional staffer, worked to add protections for domestic workers to the reauthorized TVPA. He cited new State Department regulations and policies governing how foreign and U.S. diplomats treat domestic workers.

The annual report itself reflects the Administration's continuing shift toward a more balanced focus on both forced labor and sex trafficking. Though it named no single country guilty of such abuses on U.S. soil, the report featured a generic passage explaining that "worldwide, domestic workers employed by diplomats suffer abuses ranging from wage exploitation to trafficking offenses." Also, the U.S. country narrative reported that "there are cases of domestic workers, foreigners on [diplomatic servant] visas, being subjected to trafficking-related abuse by diplomats posted to the United States." Finally, though it made no mention of the Mzeni case, the department downgraded Tanzania as a whole in the report, finding that "understanding of what constitutes trafficking remained low among government officials."

But some see State Department elites resisting a push for greater accountability on the part of foreign diplomats. "The specialists who deal in bilateral relations would prefer to deal with it behind the scenes. That was not my position," says Mark Lagon, CdeBaca's predecessor as trafficking ambassador. Lagon, now a senior adviser to LexisNexis on corporate social responsibility, had pushed hard to highlight countries with abusive diplomats in the annual trafficking report. "Alleged strategic interests that some argue are the reason for downplaying the abuse of trafficking victims," Lagon says, "are generally a mirage."

Recently, the Administration appeared to have hardened its stance against such diplomatic abuse. Two weeks ago, State filed a legal opinion in an ongoing civil

case alleging abuse by a Kuwaiti official, arguing that diplomats are protected under the Vienna Convention only when engaged in "official acts performed as a diplomat." In June 2009, a Manhattan federal judge, citing the same principle, rejected a claim of diplomatic immunity by Lauro L. Baja, the former Permanent Representative of the Philippines to the United Nations. A former employee is suing Baja, who twice served as president of the Security Council, for trafficking her to the U.S. and forcing her into unpaid domestic work. Baja has consistently denied wrongdoing.

But to date, State has not declared a moratorium on visas to servants of Tanzanian diplomats. Mazengo's lawyer, Martina Vandenberg, argued in a November 2009 letter to Clinton that the reauthorized TVPA requires such a suspension in a case in which a mission has failed to punish a diplomat who exploits his servants. (The Tanzanian embassy in Washington did not respond to requests for comment.)

In 2004, two months after she escaped, Mazengo sent a letter to the Tanzanian ambassador describing Mzengi's treatment of her as "less than human." The tone of the letter was courteous, respectful — diplomatic — but it ended on a defiant note. "I do have rights," she wrote, "and will not hesitate to pursue every available avenue at my disposal for the sake of justice." In January 2008, a federal judge awarded Mazengo more than \$1 million in damages. Three months later, Mzengi returned to Tanzania without paying. He did not file notice of appeal, and attempts to reach his lawyer have elicited no response. To date, Mazengo has collected only the \$2,000 her lawyers could garnish from Mzengi's American bank account. According to his former doctoral adviser at Howard University, Mzengi is currently an adviser to the President of Tanzania in Dar-es-Salaam. (Messages left with the Tanzanian President's office were not returned as of Monday.)


"I don't understand why they promoted him," says Mazengo, informed of Mzengi's new position. "The government of my country has done something wrong. They have moved on, but I cannot move on. I am still struggling to find justice."

— *With reporting by Lindsay Markel*

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