

*Report on Human Trafficking Issues
to the 2014 Annual Session
of the OSCE Parliamentary Assembly*

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by
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Mr. President, fellow parliamentarians, please accept the following report on my recent activities as the Special Representative on Human Trafficking Issues for the OSCE PA.

Meetings

Since our last Annual Session in Istanbul, heads of state, foreign ministers, numerous parliamentarians, and official delegations from around the world have joined me for discussions on topics including best practices to combat trafficking in human beings. Ukraine's Deputy Minister of Social Policy, whose task it is to coordinate anti-trafficking efforts in Ukraine, met with me to discuss next steps after Ukraine made the fight against human trafficking a hallmark of its OSCE Chairmanship. I also met with Swiss Ambassador Manuel Sager to discuss trafficking priorities for the Swiss Chairmanship. The Deputy Foreign Affairs Minister of Romania, along with the Romanian Ambassador, visited this spring, as did the Georgian Defense Minister. Over the last year, members of parliament from Bosnia, Romania, and Canada, as well as the President of the UN General Assembly also joined me for dialogue that highlighted the importance and methods of fighting against human trafficking in their respective spheres.

In addition, I met with Mr. Songsak Saichuea, Director General of the Department of American and South Pacific Affairs for the Foreign Ministry of Thailand. As I will discuss later in this report, Thailand, a partner State of the OSCE, is a prime destination for child sex tourists, and needs the cooperation of OSCE participating States to prevent child sex tourism—an insidious form of human trafficking.

While many trafficking victims come from within the OSCE region, I believe that we also need to be concerned about those trafficking victims who come from outside the OSCE region, including from African countries. Victims are knowingly or unknowingly smuggled into the OSCE region, only to be exploited upon arrival. For instance, eighteen participating States are prime destinations for sex trafficking victims from Nigeria who have fallen victim to well-organized criminal gangs. Addressing trafficking prevention in African countries is critical to stop the flow of victims into the OSCE region. Over the course of my meetings with African nations during the last year, I raised human trafficking with President Yoweri Kaguta Museveni

of Uganda, President Hassan Sheikh Mohamud of Somalia, and Prime Minister Nicolas Tiangaye of Central African Republic. The Minister of Foreign Affairs of South Sudan, the Ambassadors of Burkina Faso, Ethiopia, Cameroon, Mauritius, Djibouti, Benin, Uganda, Nigeria, and Kenya, as well as the Speaker of the Ugandan Parliament and the Speaker of the House of Representatives in Nigeria, also engaged with me regarding best practices to prevent human trafficking.

I also met with religious leaders, including H.B. Gregorius III, who is the Melkite Greek Catholic Patriarch; H.E. Archbishop Francis Chullikatt, who was the Apostolic Nuncio at the United Nations; and the President of the Syrian Catholic Bishops Association. In my travels around the world to investigate human trafficking, I have been impressed repeatedly by the unique and powerful contributions made by people of faith to the healing and restoration of trafficking victims. It is critical that religious leaders be fully integrated into the effort to protect trafficking victims.

Supplementary Item 2014: “Prevention and Prosecution of Child Sex Trafficking”

I am very pleased to announce that, after a 4-year struggle, the House of Representatives recently passed my legislation, the “International Megan’s Law to Prevent Demand for Child Sex Trafficking.”¹ Protecting children from violence and predatory behavior, including sexual exploitation and human trafficking, are among the highest duties and responsibilities of government.

The International Labor Organization estimates that 1.8 million children are victims of commercial sexual exploitation around the world each year. Child predators thrive on secrecy—a secrecy that allows them to commit heinous crimes against children with impunity. And child predators are traveling abroad to commit their crimes.

Child-sex tourists may travel overseas to commit sexual offenses against minors because of perceived anonymity; law enforcement in certain countries is perceived as being scarce,

¹ International Megan’s Law to Prevent Demand for Child Sex Trafficking, H.R. 4573, U.S. House of Representatives (May 20, 2014) <https://beta.congress.gov/113/bills/hr4573/BILLS-113hr4573eh.pdf>.

corrupt, or unsophisticated; perceived immunity from retaliation because the child sex tourist is a United States citizen; the child-sex tourist has the financial ability to impress and influence the local population; the child-sex tourist can “disappear” after a brief stay; the child-sex tourist can target children meeting their desired preference; and, there is no need to expend time and effort “grooming” the victim. Make no mistake, child sex tourism is an insidious form of human trafficking.

The 2014 Trafficking in Persons report noted 36 countries from which sex tourists travel abroad, and 53 destination countries for exploitation, including OSCE partner States.² Tragically, many of the sending countries are OSCE participating States, including the United States.

Law enforcement and media reports continue to document Americans—with known criminal backgrounds of sexual abuse against children in the U.S.—who are later caught sexually exploiting children in East Asia, Europe, Central and South America. While U.S. “long-arm jurisdiction” laws are critical tools in the fight against human trafficking and allow us to prosecute sex trafficking crimes abroad once the perpetrator is back in the United States, by then the harm has already been done to the child. It is the same horror movie replayed over and over. We can and must do more to warn destination countries so that they can, in turn, protect their children from sex tourism.

The recently adopted “International Megan’s Law to Prevent Demand for Child Sex Tourism,” on which my Supplementary Item is based, will diminish child-sex tourism by alerting countries of destination about the travel plans of convicted pedophiles.

The U.S. already has a small prototype program in place: The Department of Homeland Security’s Angel Watch program has been doing outstanding work in alerting countries about the problem of American sex offenders who travel abroad to sexually abuse trafficked children. If my bill becomes law in the U.S., it will ensure that actionable information about child-sex offender travel gets to destination countries in time for those countries to assess the potential

² See Appendix: Source and Destination Countries for Child Sex Tourism per the 2014 U.S. Department of State Trafficking in Persons Report.

dangers—and respond appropriately, whether that is to allow entry, deny entry or visa, monitor travel, restrict travel to certain cities, etc.

Once notified, nations are empowered to take protective actions and better fulfill their responsibility to protect the most vulnerable among us, our children. My supplementary item calls on all OSCE participating States to consider legislating similar programs in their own countries.

In May, the International Center for Missing and Exploited Children hosted a conference in Belgium that was attended by many OSCE participating States (Hungary, The Netherlands, Luxembourg, Poland, Norway, Belgium, Spain, Switzerland), Interpol, and other law enforcement to discuss how we can best work together—within our differing legal systems—to achieve the goal of advance notification of sex offender travel. The recent OSCE Addendum to the Action Plan to Combat Trafficking in Human Beings, adopted at the Kyiv Ministerial in December 2013, laid the groundwork for better law enforcement coordination between countries so that we can alert each other to the travel of individuals who may be sex tourists.³

We have the information and technology at our disposal to determine who constitutes a child-sex offender and to ensure that appropriate government officials in destination countries are alerted in a timely fashion—what we need is the political will to apply that information and technology on behalf of vulnerable children. My Supplementary Item this year builds the political will we need to get the job done.

Working with the OSCE to Promote Key Parliamentary Assembly Trafficking Initiatives

Thanks to the prioritization and persistence of the Ukrainian Chairmanship, in December 2013, the OSCE Ministerial adopted the Addendum to the OSCE Action Plan to Combat

³ III. Prevention of Trafficking in Human Beings, Para 1.11, OSCE Permanent Council Decision No. 1107, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings (December 6, 2013) <http://www.mrci.ie/wp-content/uploads/2014/01/pcdec1107c1-addendum-to-action-plan-thb-en.pdf>, “Developing and implementing policies and actions, including law enforcement cooperation between participating States, to prevent the tourism industry from being used for all forms of trafficking in human beings, in particular for sexual exploitation of children.”

Trafficking in Human Beings.⁴ This Addendum updates the Plan of Action from 2005—and effectively incorporates the trafficking supplementary items I and my colleagues have sponsored over the last several years in the OSCE Parliamentary Assembly. The Addendum also lays the groundwork for my Supplementary Item at this year’s Annual Session, the “Prevention and Prosecution of Child Sex Trafficking.”

In particular, the Addendum to the OSCE Action Plan 1) calls on corporations to ensure that their supply chains do not include trafficked labor,⁵ 2) focuses trafficking efforts on vulnerable groups,⁶ 3) calls for increased cooperation between law enforcement to prevent “sex tourism” involving the trafficking of minors,⁷ and 4) calls for anti-trafficking training for the transportation and hospitality industries,⁸ which has been my key initiative in recent years.

In June 2013, then Chairman-in-Office Kozhara invited me to launch the new initiative for combating human trafficking in the transportation industry at the High-Level OSCE Conference in Kyiv, “Strengthening the OSCE Response to Trafficking in Human Beings.” Experts estimate that 600,000–800,000 trafficking victims are moved across international borders each year, often on commercial airplanes, trains, and buses where they come into contact with transportation professionals. Traffickers can be stopped and victims rescued through highly effective, low-cost training of flight attendants and other airport personnel, such as that developed by Nancy Rivard, President of Airline Ambassadors International and the U.S. Department of Homeland Security. I was pleased to present and promote these best practices at the High-Level OSCE conference along with Nancy Rivard. Hundreds of victims have been rescued already, with the potential for thousands more.

My supplementary item on this topic, “Trafficking Victim Watchfulness: Planes, Trains, Buses, and Hotels,” was adopted at the 2013 OSCE PA Annual Session in Istanbul. The

⁴ OSCE Ministerial Council Decision No. 7/13 (December 6, 2013) <http://www.osce.org/mc/109341?download=true> adopting the OSCE Permanent Council, Decision No. 1107 on the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, <http://www.mrci.ie/wp-content/uploads/2014/01/pcdec1107c1-addendum-to-action-plan-thb-en.pdf>.

⁵2011 Belgrade Resolutions, <http://www.oscepa.org/publications/declarations/2011-belgrade-declaration>.

⁶2012 Monaco Declaration, <http://www.oscepa.org/publications/declarations/2012-monaco-declaration>.

⁷2009 Vilnius Declaration, <http://www.oscepa.org/publications/declarations/2009-vilnius-declaration>.

⁸2013 Istanbul Declaration, <http://www.oscepa.org/publications/declarations/2013-istanbul-declaration>.

supplementary item calls on participating States to collaborate with commercial carriers, adopting legislation where necessary, in order to ensure that flight attendants, pilots, ground crew, train conductors, bus operators, and any other transportation professionals who are likely to come into contact with a trafficking victim are trained to identify the victims and respond according to a protocol established with law enforcement. The supplementary item also calls on participating States to collaborate with hotel and travel industry professionals, adopting legislation where necessary, to ensure the use of best practices for the prevention and identification of human trafficking in hotels and other travel accommodations. Finally, the supplementary item underscores the importance of law enforcement coordination with transportation, hotel, and travel industry professionals in order to ensure appropriate intervention and referrals to care for suspected human trafficking victims.

Participating State Implementation of Istanbul Supplementary Item on “Trafficking Victim Watchfulness: Planes, Trains, Buses and Hotels”

Each participating State parliamentary representative who attended the Annual Session in Istanbul and each delegation secretary should have received a survey from me asking for information on any activity the participating State has taken to implement the Supplementary Item. I thank you for your responses.

Through the survey, we learned that Hungary, Ireland, and Canada have invited Airline Ambassadors to provide training in their airports. Finland reports trainings of transportation employees over the last several years—particularly those serving high risk routes. Belarus also replied that its large-scale commercial carriers are trained in victim identification. Montenegro reports training its national airline, as well as raising awareness among the railway and ground transportation industries.

A number of countries, including Cyprus, reported ongoing efforts to place anti-trafficking posters and information in airports and other transportation hubs, in order to raise awareness about human trafficking in those locations as well as to warn potential trafficking

victims and potential buyers. Latvia conducted an anti-trafficking event at a location where transportation industry employees would be able to participate.

Moldova and Slovenia indicated that although they do not currently train transportation industry employees, they have added the goal to their national discussions and may incorporate the goal in their upcoming national action plans to prevent and combat trafficking in persons.

As regards training for the hospitality industry, Slovenia reports incorporating the training into its 2014–15 national action plan. Montenegro also reports strong efforts in this area with its commitment to *The Code of Conduct for Protection of Children from Sexual Exploitation in Travel and Tourism* and its success with popularizing and implementing *The Code* among the travel and hospitality sectors. Andorra indicated closer oversight of their hotel industry.

The United States has taken several steps in line with the 2013 “Trafficking Victims Watchfulness” Supplementary Item as well as the new Addendum to the OSCE Action Plan. Specifically, the U.S. Department of Homeland Security (DHS) this year released the Blue Lightning program to train airline and airport personnel in trafficking victim identification and reporting. This training program follows a Congressional Summit, held in 2010, to bring together DHS, Airline Ambassadors, and airline representatives in order to discuss solutions to the problem of human trafficking on the airlines. DHS is currently working with the airlines to voluntarily implement the training.

In January, I held a hearing in the House Foreign Affairs Subcommittee I chair on Africa, Global Health, Global Human Rights and International Organizations in order to examine to what extent airlines, trains, and hotels in the U.S. are implementing the trafficking strategy outlined in the Istanbul Supplementary Item and Addendum, particularly in areas of increased vulnerability, such as major sporting events.⁹ Delta Airlines has adopted the Blue Lightning

⁹“Lessons Learned from Super Bowl Preparations: Preventing International Human Trafficking at Major Sporting Events,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee (January 27, 2014) <http://foreignaffairs.house.gov/hearing/subcommittee-hearing-lessons-learned-super-bowl-preparations-preventing-international-human>.

training created by DHS. Amtrak testified to the training it has provided to 20,000 train service employees, and also shared stories of rescued trafficking victims. ECPAT-USA shared the extensive work it has done over the last several months in preparation for the Super Bowl football sporting event to train hotels and motels in New Jersey and New York on how to spot and respond to potential trafficking victims. I am pleased to report that 45 pimps and their associates were arrested and 70 likely trafficking victims rescued in the concerted anti-trafficking efforts surrounding the Super Bowl.

Airline Ambassadors, ECPAT, and The Global Business Coalition Against Human Trafficking, have developed ready-made trainings for the employees of the transportation and hospitality industries. The tools are available at very low cost, if any. With a little encouragement from their respective governments, OSCE participating States can transform transportation and hospitality industry standards such that anti-trafficking training is ubiquitous. One way to do this is by hosting a training in the airport or railway station in the district you represent—as several members of Congress did this year across the United States.

Over time—and as the pimps and exploiters get caught and jailed—the added positive consequence of trained flight attendants and others will have a profound chilling effect on the traffickers’ ability to move victims from one place to another.

House of Representatives Hearings and Briefings on Human Trafficking

A significant portion of my work has been to urge the U.S. government to draw attention to the trafficking of persons in Egypt, including the abduction and forced marriage of minority women and girls. The needs of minority women and girls must be vigorously protected as a prerequisite to assistance to Egypt. In the 112th and the current Congress, I chaired several hearings on Egypt, both in the Commission on Security and Cooperation in Europe,¹⁰ and in my

¹⁰ “Escalating Violence Against Coptic Women and Girls: Will the New Egypt Be More Dangerous than the Old?,” Commission on Security and Cooperation in Europe (July 18, 2012) http://www.csce.gov/index.cfm?FuseAction=ContentRecords.ViewDetail&ContentRecord_id=529&Region_id=0&Issue_id=0&ContentType=H.B&ContentRecordType=H&CFID=18778639&CFTOKEN=37165406; “Minority at Risk: Coptic Christians in Egypt,” Commission on Security and Cooperation in Europe (July 22, 2011)

Subcommittee on Africa, Global Health, and Human Rights.¹¹ Michele Clark, the former Head of the Anti-Trafficking Assistance Unit at the Organization for Security and Cooperation in Europe (OSCE), presented her landmark report on the abduction, forced conversion, and forced marriage of Coptic women and girls in Egypt. Coptic families who go to the police for assistance are usually turned away. In at least one case, the family found and retrieved their daughter on their own, only to have the police come to their house and forcibly return the girl to her captors. One witness shared her own horrific story of an attempted abduction. At least 550 Coptic women and girls have disappeared over the last 3 years, according to a report from the Egyptian Association of Victims of Abduction and Enforced Disappearances—and the numbers seem to be increasing. This is an issue of great concern and one that must be addressed as Egypt moves forward under the El-Sisi Administration.

As the Chairman of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, I held a hearing in April 2014 entitled, “Effective Accountability: Tier Rankings and the Fight Against Human Trafficking,”¹² specifically to address the records of several countries, including OSCE participating and partner States, that were downgraded to Tier 3 status last year (Russia, Uzbekistan), or that would be required by law to be downgraded in the 2014 Trafficking in Persons (TIP) Report if their records had not adequately improved (Thailand, Malaysia, Afghanistan, Barbados, Chad, Venezuela, and Maldives).¹³ The TIP report, required by my Trafficking Victims Protection Act of 2000, is

http://csce.gov/index.cfm?FuseAction=ContentRecords.ViewDetail&ContentRecord_id=504&Region_id=0&Issue_id=0&ContentType=H,B&ContentRecordType=H&CFID=76145572&CFTOKEN=22825915;

“From Arab Spring to Coptic Winter,” Commission on Security and Cooperation in Europe (November 15, 2011)

http://csce.gov/index.cfm?FuseAction=ContentRecords.ViewDetail&ContentRecord_id=513&ContentType=H,B&ContentRecordType=H&CFID=76600560&CFTOKEN=61885740.

¹¹ “Prioritizing Religious Freedom in U.S. Foreign Policy,” Subcommittee on Africa, Global Health, and Human Rights, House Foreign Affairs Committee (June 3, 2011)

<http://archives.republicans.foreignaffairs.house.gov/112/66782.pdf>; “Human Rights Abuses in Egypt,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations and the Subcommittee on the Middle East and North Africa, House Foreign Affairs Committee (December 10, 2014) <http://foreignaffairs.house.gov/hearing/joint-subcommittee-hearing-human-rights-abuses-egypt>.

¹² “Effective Accountability: Tier Rankings in the Fight Against Human Trafficking,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee (April, 29, 2014) <http://foreignaffairs.house.gov/hearing/subcommittee-hearing-effective-accountability-tier-rankings-fight-against-human-trafficking>.

¹³ Countries may only stay on the Special Watch List for two years unless they receive a waiver from the President, by which they can stay on the Watch List for up to two additional years. After four consecutive years, the countries must be moved down to Tier 3 unless they have funded and implemented a plan that meets the minimum standards for the elimination of human trafficking (22 U.S.C. 7101).

written annually by the U.S. Department of State and ranks 195 countries on their efforts to achieve the minimum standards for the elimination of human trafficking (prosecution, protection, and prevention). Since the TIP Report's inception, more than 130 countries have enacted anti-trafficking laws and many countries have taken other steps required to significantly raise their tier rankings—citing the TIP Report as a key factor in their increased anti-trafficking response.

The former U.S. Ambassador-at-Large to Monitor and Combat Human Trafficking, Mark Lagon, testified to the records of several of these countries. My subcommittee also heard from NGO experts who painted a dire picture of human trafficking in Burma, Uzbekistan, and China, in particular. As you may know, victims from Russia and China are trafficked across the OSCE region, and victims from Uzbekistan are trafficked primarily within Uzbekistan, but also to surrounding OSCE participating States.

Cutting across Burma, Thailand, and Malaysia—and increasingly to the Middle East—is the trafficking of the Rohingya minority. Rohingya are leaving Burma by the thousands to escape religious persecution. However, according to a reports put out by Reuters, Thai authorities are selling Rohingya to human traffickers, where they are held in “tropical gulags” until relatives pay ransom. Those who cannot pay the ransom are sold into sex slavery or hard labor and many die from abuse or disease. Thai authorities have done little to stop this practice, their efforts at prevention and prosecution are said to be “losing steam.” Thailand also seems to protect labor trafficking in its fishing industry, which directly effects the seafood purchased in the OSCE region.

I am pleased to report that the 2014 Trafficking in Persons Report¹⁴ maintained last year's automatic downgrades appropriately, with the exception of China, and accurately downgraded Thailand and Malaysia. Burma was given an additional year to avoid automatic downgrade to Tier 3. Along with the ignominy of being listed on Tier 3, Tier 3 countries are open to possible sanctions by the U.S. government.

¹⁴ U.S. Department of State, Trafficking in Persons Report 2014, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

After the recent typhoon in the Philippines, I held an emergency hearing in my Subcommittee entitled, “The U.S. Post-Typhoon Response in the Philippines: Health and Human Rights Issues,” in order to oversee U.S. anti-trafficking response in disaster assistance.¹⁵ When typhoon Haiyan/Yolanda hit, human trafficking was my first concern as the devastated area is known for child sex trafficking. I quickly contacted USAID, the Department of Defense, and the State Department to ensure that emergency anti-trafficking measures were in place. In late November, as soon as the disaster area was stabilized by the U.S. military, I led a congressional delegation to the region, where in my meetings with both Filipino and U.S. officials as well as relief workers I stressed the importance of putting anti-trafficking measures in place before roads and ports were functioning again, as these otherwise would serve as access and egress points for traffickers and their victims.

In September of last year, I also chaired in my Subcommittee a hearing entitled “India’s Missing Girls”¹⁶ in order to take a closer look at the intersections of gendercide, violence against women, and human trafficking. Women in India are confronted with a compounding crisis. By most estimates, there are tens of millions of women missing in India due to the devaluing of female life beginning in the womb. Sex-selective abortion and female infanticide have led to lopsided sex ratios. In parts of India, for example, 126 boys are born for every 100 girls. India reported after its census in 2011 that there are 37 million more men than women in India. This gender imbalance is born of devaluing women and leads to women’s further degradation in human trafficking—which is rampant in India. Addressing gendercide in various countries, as well as within cultural subgroups living in OSCE countries, will help to fight human trafficking.

Additionally, my subcommittee hearings raised trafficking in several other contexts. In June, I chaired a hearing entitled “Human Rights Abuses and Crimes Against Humanity in North

¹⁵“The U.S. Post-Typhoon Response in the Philippines: Health and Human Rights Issues,” Subcommittee on Africa, Global Health, Global Human Rights and International Organizations, House Foreign Affairs Committee (December 3, 2013) <http://foreignaffairs.house.gov/hearing/subcommittee-hearing-united-states-post-typhoon-response-philippines>.

¹⁶“India’s Missing Girls,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee (September 10, 2013) <http://foreignaffairs.house.gov/hearing/subcommittee-hearing-indias-missing-girls>.

Korea,”¹⁷ which discussed the terrible plight of North Korean women and girls who escape to China only to be preyed upon by sex traffickers or forced into marriage with Chinese men who cannot find brides due to China’s one child policy. In violation of human rights, China does not recognize these women and girls as trafficking victims or refugees, but rather returns them to North Korea, where they may be tortured, imprisoned in the labor camps, or killed for having escaped North Korea.

Also in June, I chaired a hearing entitled, “The Ongoing Struggle Against Boko Haram,”¹⁸ which covered, among Boko Haram’s other religiously-motivated crimes, the recent kidnappings of hundreds of young women—and Boko Haram’s stated intent to sell the young women.

Nigerian Victims Trafficked to and in the OSCE Region

While visiting Nigeria in June, I met with one of the young women who had escaped Boko Haram’s kidnapping raid on her Chibok school in April. She had suffered much and was clearly still traumatized, yet it was her friends that she was most worried about—her classmates who had not been able to escape. Boko Haram may sell these girls into sex slavery or force them into domestic servitude. Boko Haram has continued its kidnapping of girls unabated, and the girls have not been rescued or found. The temptation in such a situation is to become numb to the tragedy and move on with the news cycle, but I would urge each and every participating and partner State to keep the return of the kidnapped girls a high priority.

Unfortunately, trafficking by Boko Haram is not the only menace in Nigeria. EUROPOL has called human trafficking-related Nigerian organized crime one of the largest law enforcement challenges to European governments. Nigerian and West African victims are trafficked to Italy, Spain, Scotland, the Netherlands, Germany, Turkey, Belgium, Denmark,

¹⁷ “Human Rights Abuses and Crimes Against Humanity in North Korea,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee (June 18, 2014) <http://foreignaffairs.house.gov/hearing/subcommittee-briefing-and-hearing-human-rights-abuses-and-crimes-against-humanity-north>.

¹⁸ “The Ongoing Struggle Against Boko Haram,” Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee (June 11, 2014) <http://foreignaffairs.house.gov/hearing/subcommittee-hearing-ongoing-struggle-against-boko-haram>.

Finland, France, Sweden, Switzerland, Norway, Ireland, Slovakia, the Czech Republic, Greece, and Russia—as well as the Middle East. These crime syndicates often move their victims to the OSCE region using forged documents and false pretenses or psychological coercion (threats of “voodoo” curses) to enslave their victims.

While in Nigeria, I met with Mrs. B.E. Jedy Agba, the Executive Secretary of the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP). Nigeria has distinguished itself in Africa by attaining and maintaining a Tier 2 ranking in the TIP Report—which means that Nigeria does not yet fully meet the minimum standards for the elimination of trafficking, but it is making significant efforts to do so. As noted in the recent TIP Report, one of Nigeria’s top priorities must be to adopt legislation that will ensure convicted traffickers are not permitted to pay fines rather than spend significant time in prison for their crime. The current system allowing judges to impose fines makes “getting caught” a minor business expense for organized crime with deep pockets. Nigeria can and must do more to shut down the human trafficking pipeline into the OSCE region. Likewise, OSCE participating and partner states must exercise particular scrutiny and awareness that Nigerian immigrants may be or will soon become trafficking victims.

Formal Trafficking Investigation Ordered in Netherlands of Former Ministry of Security and Justice Official

In my 2013 Winter Report,¹⁹ I highlighted a difficult trafficking case between the Netherlands and Turkey which I had previously covered in a briefing entitled, “Listening to Victims of Child Sex Trafficking,”²⁰ and on which I had introduced legislation.²¹ Serious allegations of child sex trafficking had been raised in the Netherlands by two Turkish men who had allegedly been raped as boys in Turkey by a senior official in the Dutch Ministry of Justice.

¹⁹ Representative Christopher H. Smith, Special Representative on Human Trafficking, Report on Human Trafficking Issues to the Winter Meeting of the OSCE Parliamentary Assembly, Vienna, Austria (February 21–22, 2013) <http://www.oscepa.org/publications/reports/special-reports/human-trafficking-issues-reports/2030-2013-winter-meeting-report-by-the-sr-on-human-trafficking-issues/file>.

²⁰“Listening to the Victims of Child Sex Trafficking.” Commission on Security and Cooperation in Europe (October 4, 2012) http://www.csce.gov/index.cfm?FuseAction=ContentRecords.ViewDetail&ContentRecord_id=531&Region_id=0&Issue_id=0&ContentType=H.B&ContentRecordType=B&CFID=18778639&CFTOKEN=37165406.

²¹ H. Res. 62 (February 12, 2013) <http://www.gpo.gov/fdsys/pkg/BILLS-113hres62ih/pdf/BILLS-113hres62ih.pdf>.

The alleged victims had attempted several times to open a formal investigation through the Dutch legal system. Multiple Turkish government officials—including the Turkish security officer who allegedly brought one of the boys to the Dutch official for abuse—had come forward to offer evidence and testimony in support of the alleged victims’ stories. Yet the Government of the Netherlands repeatedly refused to conduct a formal investigation.

In January 2014, an appellate court ordered that a formal criminal investigation be opened. This investigation provides a critical opportunity for the facts to be presented and reviewed. The alleged victims, as well as the accused, deserve no less.

2014 Trafficking in Persons Report

In June 2014, the U.S. Department of State released the latest Trafficking in Persons (TIP) report (<http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>), as required by my legislation, the Trafficking Victims Protection Act of 2000. Along with a concise summary of a country’s progress on prevention, prosecution, and protection over the course of the last year, the report ranks countries according to the minimum standards. The minimum standards, as delineated by the Trafficking Victim’s Protection Act of 2000 and my reauthorizations of the Act in 2003 and 2005, are very similar to the standards in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which has been signed by most of the OSCE countries. The minimum standards are just that—minimum—and include the following:

- 1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.
- 2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.
- 3) For the knowing commission of an act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.²²

The rankings in the report reflect whether the government of the country has in fact taken serious and sustained efforts to eliminate severe forms of trafficking in persons during the reporting year. Governments receive a Tier 2 Watch List ranking when the government does not fully comply with the minimum standards, but the government is making serious efforts to bring itself into compliance, and one of the following factors are present:

- a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) there is a failure to provide evidence of increasing efforts to combat trafficking in persons from the previous year or there is decreasing evidence of complicity by government officials; or
- c) the determination that a country is making significant efforts is based on commitments by the country to take additional steps over the next year.

Of particular note in the 2014 report, OSCE countries in Europe saw a slight increase in prosecutions, but a 48% increase in convictions (to 2,684) over the previous year, including an increase in convictions for labor trafficking. This is remarkable progress. In addition, OSCE countries in Europe produced the highest number of new or amended trafficking legislation on record (35).

Unfortunately, victim identifications decreased slightly from 11,905 in 2012 to 10,304 in 2013—a decrease of almost 14%—but still higher than 2011. Laudably, the region identified the most victims out of all regions of the world in 2013—for the third year in a row. In 2014, OSCE participating States must redouble their efforts to apply best practices as described in the OSCE

²² The criteria for applying these standards can be found in the Trafficking Victim's Protection Act of 2000, Div. A of Pub. L. No. 106–386, §108, as amended by the Trafficking Victim's Protection Act of 2003, Pub. L. No. 108–193, and Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. 109–164.

Addendum to the Action Plan to Combat Trafficking in Human Beings²³ and dedicate resources to rescue and shelter the victims of human trafficking.

As for tier rankings, only two participating states, Russia and Uzbekistan, were ranked on the lowest level as Tier 3. Thailand, an OSCE partner State, was automatically downgraded this year to Tier 3. Alarmingly, Bosnia and Herzegovina continued its startling descent from Tier 1 status four years ago and Tier 2 last year, to be ranked lower again this year on the Tier 2 Watch List. Bosnia and Herzegovina joins Turkmenistan and Ukraine on the Tier 2 Watch List. Albania is to be congratulated for successfully moving off the Tier 2 Watch List to Tier 2.

Conclusion

The last year has seen positive steps forward in the refinement and implementation of trafficking laws in the OSCE region. The OSCE PA worked closely with the Ukrainian Chairmanship to solidify and systematize in the OSCE Addendum to the Action Plan to Combat Trafficking in Human Beings best practices to fight human trafficking as formulated in the OSCE PA Supplementary Items over the last several years, as well as lay the groundwork for moving forward, such as with better law enforcement cooperation on sex tourism by child-sex offenders. The Addendum also contained many best practices that will help stem the tide and rescue Africans trafficked to the OSCE region.

Implementation of these best practices, and their further refinement, is a task that equally belongs to the OSCE Parliamentary Assembly. Each parliamentarian can prioritize human trafficking measures and channel best practices to his or her home district—creating an exemplary zone of “zero tolerance” for human trafficking. As always, success in the fight against human trafficking is a question of unflagging political will.

²³ OSCE Ministerial Council Decision No. 7/13 (December 6, 2013) <http://www.osce.org/mc/109341?download=true>, adopting the OSCE Permanent Council, Decision No. 1107 on the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, <http://www.mrci.ie/wp-content/uploads/2014/01/pcdec1107c1-addendum-to-action-plan-thb-en.pdf>.

**Appendix: Source and Destination Countries for Child Sex Tourism per the 2014
U.S. Department of State Trafficking in Persons Report²⁴**

COUNTRIES OF ORIGIN/SOURCE OF ABUSERS (36 total with 16 participating States and 5 partner states)	COUNTRIES OF DESTINATION (53 total with 5 participating States and 3 partner States)
Algeria	Argentina
Australia (although they are taking remedial steps—overseas jurisdiction, international alerts)	Azerbaijan
Austria (unclear from report)	Belize
Azerbaijan	Benin
Belgium	Bolivia
Canada (overseas jurisdiction in place, warnings with new passports)	Brazil (abusers from Europe and North America)
China	Burma (barred entry of 6 US and Europeans because of their criminal records)
Eritrea	Burundi
Finland (trying to educate travelers)	Cabo Verde
France (working with destination countries, 15 convictions, education efforts)	Cambodia (abusers from Asia, US, Europe)
Germany (weak on prosecutions)	Cameroon
Hong Kong	Colombia (abusers from North America, Europe, and Latin America)
India	Comoros
Indonesia	Costa Rica (abusers from US and Europe)
Iran	Croatia
Iraq	Cuba
Israel	Dominican Republic (denied entry to 39 visitors for previous sex crime convictions)
Italy	Egypt
Japan (traveling to Asian countries)	Eritrea
South Korea (restrict passports of those with sex tourism convictions, but usually fail to prosecute or convict; rampant)	Fiji
Lebanon	The Gambia (abusers from Europe)
Libya	Georgia
Luxembourg	Guatemala (abusers from North America and

²⁴ U.S. Department of State, Trafficking in Persons Report 2014, <http://www.state.gov/j/tip/rls/tiprpt/2014/index.htm>.

	Western Europe)
New Zealand (working with foreign governments on sex tourist identification)	Guinea
Norway	Honduras (abusers from US and Canada)
Poland	India
Qatar	Indonesia
Saudi Arabia (abusing in Egypt, India, Jordan, Mauritania, Yemen, and Indonesia)	Jamaica
Singapore	Kenya
Spain	Kiribati
Sweden (law allows prosecution of crimes abroad)	Laos
Taiwan (law allows prosecution of crimes abroad)	Madagascar (French and Italian abusers)
Turkey	Malawi
Ukraine	Mexico (abusers from US, Canada, Europe)
United Arab Emirates	Moldova (abusers from Norway, Italy, Germany, Sweden, Denmark, Thailand, Australia, Israel, and the United States)
United Kingdom	Mongolia (abusers from Japan and South Korea)
United States	Morocco
	Nicaragua (abusers US, Canada, Western Europe)
	Panama
	Paraguay
	Peru
	Philippines (abusers Australia, New Zealand, and countries in Northeast Asia, Europe, and North America)
	Senegal
	Seychelles
	Solomon Islands
	Sri Lanka
	Switzerland
	Tanzania
	Thailand (denied entry to 79 known foreign sex offenders and launched a public awareness campaign warning tourists of the strict penalties for engaging in sex with minors)
	Uganda
	Uruguay

	Uzbekistan (men from India)
	Vietnam (abusers from Japan, South Korea, China, Taiwan, the UK, Australia, Europe, and the United States)
	Yemen