



*Report on Human Trafficking Issues
to the 2019 Annual Session
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by

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Mr. President, fellow parliamentarians, please accept the following report on my activities since the 2018 Annual Session as the Special Representative on Human Trafficking Issues for the OSCE PA.

High Level Meetings

Over the last year, I have taken every opportunity to raise human trafficking concerns and best practices with heads of state, foreign ministers, ambassadors, numerous parliamentarians, and official delegations. Human trafficking happens in each of our States, entrapping our own citizens as well as recent immigrants seeking a better life—not to mention those who were brought into our States specifically for the purpose of human trafficking. Our trafficking challenges are inextricably bound together through migration, tourism, trade, and supply chains. Preventing and solving these crimes requires cooperation across the region, and, increasingly, across the globe.

For instance, I traveled to Ethiopia, where I met with the then-head of Ethiopia's National Defense Force, the late General Saere Mekonnen, who welcomed international military education and training for his 12,000 Ethiopian troops deployed with the United Nations or African Union. This training could not only prevent trafficking, it will help the troops fight it.

I had the privilege of discussing the prevention and amelioration of human trafficking with Deputy Foreign Minister of Belarus, Oleg Kravchenko, as well as the Assistant Foreign Minister for Egyptian Human Rights and International Humanitarian and Social Affairs, Ahmed Ihab Gamal El Din. The Ambassadors to the United States from Ireland, Tajikistan, Guatemala, El Salvador, and Thailand were also open to additional collaboration to fight human trafficking.

In addition, I shared best practices with parliamentary representatives from Canada and Nigeria as members of parliament are key to writing or refining trafficking laws in their own countries.

With the change in presidential administrations in the United States, I have prioritized reaching out to the U.S. Administration regarding trafficking policy, including meeting with our Secretary of State Mike Pompeo and U.S. Agency For International Development Administrator Mark Green.

The role of faith leaders in educating adherents to recognize trafficking, prevent trafficking in displaced communities, and especially in provide rehabilitative assistance to trafficking survivors, should not be underestimated and cannot be overstated. I consequently raised trafficking with Cardinal Orlando B. Quevedo of the Philippines and Bishop Álvaro Ramazzini of Guatemala.

Frederick Douglass Trafficking Victims Prevention and Protection Act Becomes Law: Implement OSCE Supplementary Items OSCE Ministerial Decisions on Government Procurement and Tourism

On January 8, 2019, the President of the United States signed into law my *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act*.¹ This law, part of a \$920 million anti-trafficking package, authorizes a total of \$430 million over four years to prosecute traffickers, rescue and assist victims, and prevent human trafficking at home and abroad. The Frederick Douglass Act is the 5th reauthorization of my *Trafficking Victims Protection Act of 2000*, which launched a bold strategy that included sheltering, political asylum, and other protections for the victims; long jail sentences and asset confiscation for the traffickers; and tough sanctions for governments that failed to meet minimum standards prescribed in the law.

Named in honor of the 200th birthday of slavery survivor and abolitionist Frederick Douglass, the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act* also authorizes the Secretary of Health and Human Services, in consultation with the Secretary of Education and the Secretary of Labor, to award grants to local educational agencies, in partnership with a nonprofit, nongovernmental agency, to establish, expand, and support programs that:

- educate school staff to recognize and respond to signs of sex and labor trafficking;
- provide age-appropriate information to students on how to avoid becoming victims of sex and labor trafficking.

The Act also implements numerous supplementary items adopted by the OSCE Parliamentary Assembly as well as the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings.² These consensus documents call for anti-trafficking training in the transportation industry,³ OSCE institutional commitment to procure goods and services from

¹ H.R. 2200, *The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act* (P.L. 115-425) (Jan. 8, 2019) <https://www.congress.gov/115/bills/hr2200/BILLS-115hr2200enr.pdf>

² Decision No. 1107, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings (December 6, 2013) <http://www.osce.org/addendum?download=true>.

³ OSCE Parliamentary Assembly, 22nd Annual Session, Istanbul Declaration and Resolutions, Resolution on Trafficking Victim Watchfulness: Planes, Trains, Buses, and Hotels, (June 29 – July 3, 2013) <https://www.oscepa.org/meetings/annual-sessions/2013-istanbul-annual-session/2013-istanbul-final-declaration/1645-08>. 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 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 victim 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

companies with trafficking-free supply chains,⁴ and for governments to adopt a “zero tolerance policy” for the procurement of goods and services from sources or services that may be profiting from trafficking.⁵

The Frederick Douglass Act creates for the first time a U.S. government preference for government travel on airlines that have trained their flight attendants and pilots in trafficking victim identification and reporting.

Experts estimate that 600,000 to 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 can be 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. Airline Ambassadors has also developed a smart phone application to make it easier for airline personnel to report human trafficking at U.S. airports.⁶ In addition, the U.S. Department of Homeland Security has a training called “Blue Lightning” available for U.S. carriers, which has already been used to train 70,000 airport employees in the United States.⁷ Hundreds of victims have been rescued already, with the potential for thousands more. The new *Frederick Douglass Act* incentivizes airlines to undertake these trainings or risk losing government business.

The Frederick Douglass Act calls for uniform and unified reporting from key U.S. government agencies on what steps they are taking to ensure that zero-tolerance laws are being implemented effectively. More than 10 years ago, the United States adopted a zero-tolerance policy for trafficking in U.S. government contracts and procurement. Implementing the policy has been a work in progress. In 2015, the U.S. government took the next step forward by enforcing detailed regulations that prohibit contractors from actions that:

- Destroy, conceal, remove, confiscate, or otherwise deny an employee access to that employee’s identity or immigration documents without the employee’s consent;
- Fail to abide by any contractual provision to pay return transportation costs upon the end of employment for the purpose of pressuring an employee into continued employment;

enforcement coordination with transportation, hotel, and travel industry professionals in order to ensure appropriate intervention and referrals to care for suspected human trafficking victims.

⁴OSCE Parliamentary Assembly, 24th Annual Session, Helsinki Declaration and Resolutions, Resolution on Responsibility to Combat Human Trafficking in Government Contracts for Goods and Services (July 2015) <https://www.oscepa.org/documents/all-documents/annual-sessions/2015-helsinki/declaration-3/2977-2015-helsinki-declaration-eng/file>.

⁵ Ibid. Helsinki Declaration and Resolutions (July 2015).

⁶ Airline Ambassadors Human Trafficking Reporting Application: <http://airlineamb.org/2015/09/19/aais-new-tip-line-app/#.VstHTOZv669>.

⁷ “Blue Lightning” Program, US Customs and Border Protection, Department of Homeland Security, <https://www.cbp.gov/border-security/human-trafficking/blue-lightning>.

- Purchase commercial sex;
- Solicit a person for the purpose of employment, or offer employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;
- Charge recruited employees unreasonable placement or recruitment fees, or any such fee that violates the laws of the country from which an employee is recruited.

The Frederick Douglass Act will help with implementation of these zero-tolerance laws by educating procurement officers in U.S. government agencies to apply all relevant U.S. laws and regulations, including penalties.

In addition, the Frederick Douglass Act will also help businesses avoid using suppliers that may be involved with trafficking by further clarifying which products incorporate slave-made goods in the U.S. Department of Labor Report on Child Labor and Forced Labor.⁸ That same report will help inform U.S. Customs and Border Protection officers of which products to keep out of U.S. ports of entry, depriving traffickers of profits.

Finally, the *Frederick Douglass Act* will fight trafficking by:

- Preventing abuse of domestic servants in embassies and diplomatic households in the United States by blocking visas for offending countries;
- Focusing grants for survivor care on housing for especially vulnerable groups, such as youth aging out of foster care and justice-system-involved youth;
- Creating a special complaint mechanism in embassies whereby the United States is warned of labor traffickers exploiting the U.S. entry system;
- Increasing transparency and oversight of U.S. government grants to fight trafficking;
- Strengthening federal efforts to reduce demand for services from sex trafficking victims by providing better oversight of prosecution of those who purchase commercial sex;
- Designating one prosecutor in each of the Department of Justice's twelve focus districts to investigate and prosecute labor trafficking cases;
- Encouraging credible and effective use of the trafficking tier ranking system by the U.S. Department of State in the annual *Trafficking in Persons Report*;
- Ensuring that U.S. military assistance does not go to foreign governments that use child soldiers; and
- Encouraging USAID to integrate human trafficking prevention into disaster relief.

⁸ U.S. Department of Labor, *Report on Child Labor and Forced Labor* (Sept. 30, 2016) <https://www.dol.gov/agencies/ilab/reports/child-labor>.

2019 Proposed Supplementary Item: *Educating Schoolchildren to Avoid Human Trafficking*

Building upon my supplementary item, “Implementing Trafficking-Free Communities,”⁹ adopted in Berlin at the last annual session, this year’s supplementary item focuses specifically on a key factor in creating trafficking-free communities—educating teachers and students on how to identify and avoid human trafficking.

Research by the International Labor Organization indicates that one in four trafficking victims are children.¹⁰ Children of every socio-economic status can be easy prey for traffickers for the simple reason that they lack awareness and understanding about the threat of trafficking. This innate vulnerability can be compounded by additional factors, such as a previous history of abuse and neglect, institutionalization, running away from home, being an unaccompanied or separated minor, disability, belonging to a national minority, lacking citizenship or birth registration, being an asylum seeker, refugee or IDP, or poverty.

Children are more vulnerable than ever due to traffickers misusing the internet to lure children into labor and sex trafficking, as well as other forms of sexual exploitation. The National Center for Missing and Exploited Children (NCMEC) in the United States studied data from 6,000 reports to its CyberTipLine. NCMEC found that in 34 percent of the reports, sexual predators were engaging the child in sexual conversation to groom the child for other purposes.¹¹ In 33 percent of the cases the predators were asking the child for sexually explicit images of themselves—which we know can then be used to blackmail the child into sexual slavery with threats to show the images to the child’s parents and friends.¹²

NCMEC’s research also shows that children, unaware of the dangers, are engaging in other high-risk behaviors online, such as lying about being older in order to access certain platforms which would allow communication with older individuals; and initiating online communication and/or offering an exchange with offenders, such as requesting financial compensation, alcohol/drugs, gifts, etc. for sexually explicit content of oneself.¹³

⁹ Resolution on Implementing Trafficking-Free Communities, Berlin Declaration, Organization on Security and Cooperation in Europe Parliamentary Assembly, Annual Session p. 59 (7-11 July, 2018) <https://www.oscepa.org/documents/all-documents/annual-sessions/2018-berlin/declaration-26/3742-berlin-declaration-eng/file>.

¹⁰ International Labor Organization, et al., *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, Geneva (September 2017) https://www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm.

¹¹ National Center for Missing and Exploited Children, *The Online Enticement of Children: An In-Depth Analysis of CyberTipLine Reports*, <http://www.missingkids.org/theissues/onlineenticement>.

¹² Ibid.

¹³ Ibid.

Most of the children in the study were young teenagers, and nearly all of the children only knew the predator through online communication. In fact, a recent study by the Human Trafficking Institute reported that in 28 percent of all federal trafficking prosecutions in the United States in 2018, the victim met the trafficker through social media.¹⁴

Children are unprepared for the trafficker's use of blackmail, abuse, force, psychological coercion or false promises of work, education, and romance to enslave them. Moreover, children might not ask for help due to lack of understanding of what has happened to them, fear of their traffickers, fear of punishment, lack of information about their options, or mistrust of authorities. These children may be going to school by day and suffering trafficking at night.

We must educate our teachers to spot these silent, scared, and confused young victims of trafficking. Even more, we must equip these children to avoid trafficking in the first place.

Consequently, my supplementary item this year calls on OSCE participating States to begin preventively educating students to avoid trafficking traps at an early age before traffickers can begin grooming the children. This anti-trafficking education can be a stand-alone class, or integrated into an age-appropriate way into current courses on health, government, history, criminal justice, or health education.

Teachers and guidance counselors can be educated through online courses, continuing teacher education requirements, or in-person workshops. Several NGOs, including the Frederick Douglas Family Initiatives, A21 Campaign, Just Ask, the National Center for Missing and Exploited Children, and others have developed age-appropriate school courses to educate students on how to avoid trafficking traps, and to educate teachers on how to identify and help students who may be trapped in labor or sex trafficking and other forms of sexual exploitation.

The education of teachers and students—particularly in conjunction with victim response protocols established with school districts, law enforcement, child and family welfare agencies, shelters for runaway and homeless youth, anti-trafficking NGOs, and faith communities—is one of the most effective steps participating States can take toward preventing trafficking in their communities. I urge your strong support for this supplementary item, as well as action to implement it as soon as possible.

¹⁴ The Institute on Human Trafficking, 2018 Federal Human Trafficking Report (April 2019) <https://www.traffickingmatters.com/wp-content/uploads/2019/04/2018-Federal-Human-Trafficking-Report-Low-Res.pdf> p. 18.

2018 Supplementary Item Adopted at Berlin OSCE PA Annual Session: *Implementing Trafficking-Free Communities*

At the 2018 Annual Session in Berlin, the OSCE PA adopted my supplementary item, “Implementing Trafficking-Free Communities,”¹⁵ which underscored how previous OSCE commitments, when employed simultaneously and in conjunction with new best practices, are effective in reducing trafficking in a given community.

What do we mean by community? A distinct area united by schools, a police force, non-governmental organizations, shelter services, businesses, houses of worship, and media. It could be a village, city, or county, province, canton, or state. Most importantly, it is a distinct sphere of influence that comes together and says in word and deed, “Not in our town.”

Within that community, those who are likely to be in contact with trafficking victims—including school, airline, bus, train, taxi, judicial, health care and law enforcement employees—are trained to recognize and respond appropriately to trafficking victims. Representatives of these social pillars come together, often on a Task Force that meets regularly, and coordinate simultaneous action.

One such town is Seattle, Washington, and its suburbs in the United States. They knew that trafficking is a gendered crime, harming primarily women and girls. According to the International Labor Organization, women and girls account for 99% of trafficking victims in the commercial sex industry and 58% in labor trafficking.

Seattle launched a public awareness campaign with information online targeted at people using certain search terms. The public awareness campaign was coordinated with law enforcement action against those recklessly buying commercial sex from women and girls who are potential trafficking victims.

The result? In one year, Seattle saw a 30% reduction in people seeking out illegal commercial sex. Consequently, my Supplementary Item calls on OSCE participating States to prioritize demand reduction as part of an integrated, multi-pronged, simultaneous strategy against trafficking in the OSCE region.

My supplementary item also reiterated the importance of ending virtual slave markets online by holding website owners criminally accountable. Until April of 2018, Americans could go online to websites like backpage.com and buy escorts, many of whom were underage girls subjected to human trafficking. The website owners knew what was going on, but chose instead to take the advertising money and turn a blind eye.

¹⁵ Resolution on Implementing Trafficking-Free Communities, Berlin Declaration, Organization on Security and Cooperation in Europe Parliamentary Assembly, Annual Session p. 59 (7-11 July, 2018) <https://www.oscepa.org/documents/all-documents/annual-sessions/2018-berlin/declaration-26/3742-berlin-declaration-eng/file>.

No more. In April 2018, the United States adopted the Allow States and Victims to Fight Online Sex Trafficking Act (P.L. 115-164). The impact was nearly instantaneous. More than a dozen websites that were suspected of posting children for sale—virtual slave markets—went dark of their own volition. The risk of criminal prosecution for advertising trafficking victims was enough to shut down these virtual slave markets.

In addition, the U.S. government seized the Backpage.com website—which was also operating across Europe—and which had previously been warned for posting advertisements of children and had been suspected of helping traffickers avoid detection by law enforcement.

The U.S. Department of Justice indicted the leadership of Backpage.com on criminal charges. The company plead guilty to human trafficking in Texas, and to federal money laundering conspiracy charges in Arizona.

Holding websites accountable for advertising children for exploitation disrupts the child trafficking market, making it difficult for buyers to find children to harm, and risky for traffickers to post the children online. It's not just the right thing to do, it is effective in preventing trafficking in a community.

In addition, every participating state has cities that are tourist destinations. These communities need to be especially educated and ready to protect children from sex tourists, who think that they can assault children and then run away with immunity and impunity.

My supplementary item underscored that over the last 20 years, international tourism has grown to more than one billion travelers a year, but child protection laws in many destination countries have not kept pace with the growth of the tourism industry.

Participating States, such as the United States, Ukraine, Belarus, Finland, Hungary, Ireland, the United Kingdom, and Montenegro, have worked with the travel and tourism industry, including hotels, trains, and airlines, to prevent human trafficking. Nonetheless many communities are still at great risk.

My supplementary item encouraged all participating States to begin or continue to work with the travel and tourism industry to ensure that we have millions of eyes watching out for trafficking victims at the opportune moment that they are being moved. Creating a unified trafficking hotline for the region, as my Supplementary Item called for, would greatly help everyone on the frontlines of fighting trafficking in tourism.

Participating States can also, as the 2017 Ministerial Decision 7/17 and previous PA decisions encourage, keep registers of individuals who have previously committed sex crimes against a child and share that information with destination countries when a child predator is traveling.

All participating States should be receiving such alerts from the United States Angel Watch Program—nearly 7,000 have gone out to more than 100 countries in the last 3 years. In

more than 3,440 instances, States have decided that the traveler was too dangerous to be let into the country.

We must educate children, who are sought out by traffickers, to see the signs of danger and run. Serbia, the United Kingdom, the United States, and other participating States have worked with NGOs like A21, the Frederick Douglass Foundation, and Love 146, to educate tens of thousands of children about human trafficking risks—both of sex and labor trafficking.

Last but not least, the OSCE Office of the Special Representative and Coordinator to Combat Trafficking has been doing great work to develop guidance for businesses on how to prevent trafficking in their supply chains and to avoid putting money into the hands of labor traffickers. My 2018 Supplementary Item encouraged States and businesses to make trafficking-free supply chains a non-negotiable priority.

We have developed in the OSCE an arsenal of best practices to deploy against human traffickers, and that arsenal is needed more than ever. Communities across the OSCE can become “trafficking-free zones”, especially if demand reduction is prioritized.

My supplementary item called on participating States to not only implement previous and new best practices to fight trafficking, but to implement the best practices simultaneously, creating whole communities where there are no places for traffickers to hide—and no places where a trafficking victim is unprotected.

New Legislation Re Lithuania: Concerns about Inconsistent Accountability for Child Trafficking

Lithuania must do better to identify and protect child trafficking victims, as well as to deter would-be traffickers with true accountability and penalties for these heinous crimes.

This year’s Trafficking in Persons Report¹⁶ again notes that Lithuania, although a Tier 1 country, has major gaps in its efforts to fight child trafficking. Specifically, the Report states that “Although the government meets the minimum standards, a lack of victim protection during the investigation and trial process and a lack of knowledge within relevant agencies in recognizing indicators of child trafficking remained.”¹⁷ This year’s Report, like the 2018 Report, also indicated many instances (25 percent of convictions) where traffickers were fined or received suspended jail sentences rather than serving time in prison for their crimes.¹⁸ The 2018 Report included a concerning case where the director of an orphanage who was convicted for operating a sex trafficking ring inside the orphanage, “offering young boys to pedophiles.”¹⁹ Although

¹⁶ U.S. Department of State, *2019 Trafficking in Persons Report* (June 2019) <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>, p. 297.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ U.S. Department of State, *2018 Trafficking in Persons Report* (June 2018) <https://www.state.gov/j/tip/rls/tiprpt/2018/index.htm>, p. 276.

convicted for sexual exploitation, the director received only 3 years and 10 months sentence—3 years of which was suspended. Moreover, after 5 years hiatus, the official would again be eligible to work at an educational or care institution with children.

I am also very concerned that Lithuania continues to pursue charges against Judge Neringa Venckiene, who moved to the United States and asked for political asylum after a long battle in Lithuania regarding her young niece’s accusations of child trafficking against government officials. The Government of Lithuania has charged Judge Venckiene for bringing petitions to the court and to the Child’s Rights Ombudsman on behalf of her niece, speaking to journalists about the charges, writing a book about the errors she, as a judge, saw in the investigation of the charges, “humiliating the court”, “desecrating the national anthem”, participating in “unauthorized protests”, defamation, bruising a bailiff, and otherwise not complying with court orders to return her niece to the person her niece indicated was her trafficker. The Government of Lithuania has also charged Judge Venckiene’s parents, the little girl’s grandparents, with similar crimes. Such charges have a chilling effect on those who would take the risk of seeking justice against those who sexually exploit children.

Notably, Lithuania has asked the United States for Judge Venckiene’s extradition based on 14 of those charges, sending their best supporting information. The United States has so far rejected 10 of those charges for insufficient evidence and/or because the charge is not also a crime in the United States. Four remain pending—all related to the state-ordered physical return of the little girl to her alleged trafficker.

I introduced a private bill, H.R. 1107, *The Give Judge Venckiene Her Day in Court Act*,²⁰ so that Judge Venckiene can finish her political asylum process in the United States and so that her side of the story can be heard in a U.S. court before any return decision is made.

Examining the Nexus Between Human Trafficking and Substance Abuse

In January, I participated in an event in my home state of New Jersey that brought to light the growing nexus between human trafficking and substance abuse in the United States. Just two months ago, Dominic Roach of Camden, New Jersey, received a long prison term for forcing two drug-addicted women into prostitution and taking the money they collected.²¹ He kept the victims compliant and reliant on him by bringing them drugs.

We know from research that many victims of human trafficking come from unstable homes and are more likely to have grown up with at least one parent addicted to drugs or alcohol—one study conducted in Chicago puts the number at 83%.²²

²⁰ H.R. 1107, *The Give Judge Venckiene Her Day in Court Act* (February 7, 2019)
<https://www.congress.gov/116/bills/hr1107/BILLS-116hr1107ih.pdf>.

²¹ Jeff Goldman, *N.J. Man Involved in ‘Modern Day Slavery’ Gets up to 36 Years in Prison*, NJ.com (Nov. 28, 2018)
<https://www.nj.com/news/2018/11/nj-man-involved-in-modern-day-slavery-gets-up-to-36-years-in-prison.html>.

²² Jessica Reichert, Illinois Criminal Justice Information Authority, *National Survey of Residential Programs for Victims of Sex Trafficking* (October 2013)
http://www.icjia.state.il.us/assets/pdf/ResearchReports/NSRHVST_101813.pdf, citing O’Leary, C., & Howard, O.,

Not only is family drug use making children more vulnerable to human trafficking, but human trafficking makes a child more likely to use drugs themselves in order to cope with the pain and trauma during and after trafficking.

According to a study by D.M. Hughes of the University of Rhode Island (2005), more than 70 percent of trafficking victims reported using substances.²³

We can and should expect that trafficking victims will be vulnerable to substance abuse and vulnerable to re-trafficking if substance abuse and complex trauma of trafficking are not both treated. This is why it is so critical that we ensure our professionals who treat drug addiction are also trained to recognize and address the complex trauma of human trafficking.

U.S. State Department Releases *Trafficking in Persons Report* for 2019: Europe Losing Ground on Prosecutions, but Improving Victim Identification

The 2019 *Trafficking in Persons Report*²⁴ was released in June 20, 2019 by Secretary of State Michael Pompeo. Required by my *Trafficking Victims Protection Act of 2000*, this report is one of the most successful ways the U.S. promotes best practices and ensures accountability for the minimum standards to eliminate human trafficking. This annual report lays bare the record of 187 countries, including the United States, summarizing the country's progress in an annual tier ranking and in a narrative—with recommendations for progress.

Tier 1 countries fully meet the minimum standards for eliminating human trafficking. Tier 2 countries do not meet the minimum standards but are making a significant effort to do so. Tier 2 Watch List countries are in a grace period and in real danger of becoming Tier 3 unless they show significant effort to go along with their promises. Tier 3 countries do not meet the minimum standards and are not making significant effort to do so. Along with the embarrassment of being listed on Tier 3, Tier 3 countries are open to sanction by the U.S. government.

Since the TIP Report's inception, more than 120 countries have enacted anti-trafficking laws and many countries have taken other steps required to significantly raise their tier rankings—some citing the TIP Report as a key factor in their new anti-trafficking efforts.

The prostitution of women and girls in metropolitan Chicago: A preliminary prevalence report (2001) Chicago, IL: Center for Impact Research.

²³ Jessica Reichert, Illinois Criminal Justice Information Authority, National Survey of Residential Programs for Victims of Sex Trafficking (October 2013)

http://www.icjia.state.il.us/assets/pdf/ResearchReports/NSRHVST_101813.pdf citing Hughes, D.M., Fact sheet: Domestic sex trafficking and prostitution in the United States (2005) Kingston, RI: University of Rhode Island.

<http://fd.valenciacollege.edu/file/nroyer/domestic%20sex%20trafficking%20stats.doc>.

²⁴ U.S. Department of State, *2019 Trafficking in Persons Report* (June 2019) <https://www.state.gov/reports/2019-trafficking-in-persons-report/>.

The introduction of this year’s report focuses on “The National Nature of Human Trafficking: Strengthening Government Responses and Dispelling Misperceptions.” It looks at what can be a gap in government anti-trafficking efforts: concentrating on transnational human trafficking cases at the expense of cases taking place within their borders. It is not intended to suggest that transnational human trafficking is less important, but to ensure that domestic trafficking in persons is not overlooked in government strategies.

The 2019 report showed a 12 percent decrease in trafficking victim identification worldwide in 2018 and a 37 percent decrease in prosecutions, while convictions increased 4.8 percent. However, in Europe, victim identifications increased some 32 percent, and while prosecutions dropped 7 percent, convictions increased 9 percent. Nevertheless, prosecutions in Europe have been decreasing for three consecutive years, despite the slight rise in convictions.

I appeal to you as legislators to stay one step ahead of the traffickers, to adapt to new forms of trafficking, new technologies available to fight trafficking, and new cross-border collaboration. Please keep refining your State’s trafficking laws and please use your oversight functions to ensure their full implementation. We must reverse these downward trends. Lives depend on it.

Participating States Making Measurable Progress: Mongolia, Tajikistan, and Uzbekistan

Three OSCE participating States made significant progress last year. Mongolia moved back up to Tier 2 for its efforts including “resuming funding for victim service provision; significantly increasing identification of victims and assistance for repatriation; securing several convictions under new provisions of the amended criminal code; and initiating a new law enforcement campaign to curb fraudulent recruitment via social media.”²⁵

Tajikistan moved up to Tier 2 for efforts including “assuming oversight and financial responsibility for a trafficking shelter; amending the criminal code to eliminate inconsistencies with the 2014 victim protection law and remove a demonstration of force, fraud, or coercion for child sex trafficking; facilitating the return of Tajik children from Iraq and Syria; identifying significantly more trafficking victims; and collaborating with local and international civil society groups on the development and review of trafficking laws and the draft 2019-2021 national action plan.”²⁶

Finally, although it did not change its ranking, Uzbekistan continued to make progress by “taking substantive actions towards ending its use of forced adult labor during the annual cotton harvest, including by increasing remuneration to pickers, partially demobilizing some public sector workers, continuing to allow full unimpeded access to international third-party monitors, incorporating independent human rights activists into monitoring plans, and continuing to uphold the ban on child labor in the harvest.... It increased support to vulnerable labor migrants,

²⁵ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mongolia/>

²⁶ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/tajikistan/>

including trafficking victims, by creating a budget line item and allocating funds to provide assistance.”²⁷

Participating States Losing Ground in the Fight Against Trafficking: Azerbaijan, Denmark, Germany, Italy, Kazakhstan, Poland, Romania, and Slovakia.

The fight against trafficking in persons requires constant vigilance. Azerbaijan was downgraded to the Tier 2 Watchlist because “prosecution efforts decreased, with courts issuing suspended sentences for nearly all convicted traffickers. The credibility of the Anti-Trafficking Department (ATD) was diminished by credible reports of its arbitrary detention and physical coercion of a confession from a minor; and the government did not regularly screen vulnerable populations and lacked proactive identification efforts, particularly for Azerbaijani victims of internal trafficking. As a result, the government disincentivized cooperation with law enforcement and may have penalized victims due to inadequate identification. The government did not fund NGO-run shelters despite relying heavily on their victim support and reintegration services. Some local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest.”²⁸

Denmark was downgraded to Tier 2 as it “initiated only one trafficking investigation during the reporting period, largely due to a reduction in the number of officers responsible for investigating human trafficking crimes. Additionally, courts convicted only one trafficker, the lowest number in more than a decade. The government continued to focus on the undocumented status of some foreign victims rather than screening for indicators of trafficking, often incarcerating them during review of their status. Furthermore, lack of incentives for victims to cooperate in investigations, such as residence permits, inhibited successful prosecutions and left victims vulnerable to re-trafficking and reluctant to come forward and work with police.”²⁹

Germany also dropped to Tier 2 this year, as “the high number of suspended sentences for trafficking convictions, with only 36 percent of convicted sex traffickers in 2017 serving prison time and all three convicted labor traffickers receiving only fines, undercut efforts to hold traffickers accountable, and did not meet the minimum standard generally requiring incarceration for convicted traffickers. Law enforcement data also has shown an overall multi-year decline in convictions for trafficking since 2009.”³⁰

Another country which dropped to Tier 2 was Italy. “Despite government commitments and efforts to crack down on trafficking rings in Italy, there was a decline in the number of trafficking arrests and investigations compared to the previous reporting period. While NGOs and international organizations referred many victims for government assistance, the government did not consistently assess risks to potential victims prior to forced returns or expulsions to countries where victims would face retribution or hardship. The government did not have legal

²⁷ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/uzbekistan/>

²⁸ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/azerbaijan/>

²⁹ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/denmark/>

³⁰ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/germany/>

protections from penalties against victims for unlawful acts traffickers compelled them to commit.”³¹

Kazakhstan was downgraded this year to the Tier 2 Watchlist because “efforts to identify and protect foreign victims remained inadequate compared to the estimated size of the population, and foreign victims who did not participate in criminal investigations were ineligible for services and had no legal alternatives to removal. Law enforcement made limited efforts to investigate, prosecute, and convict labor trafficking crimes. NGOs continued to report allegations of police officers’ complicity in human trafficking; there remained few investigations or prosecutions of police or other government officials suspected of complicity.”³²

Poland dropped to Tier 2 as “the government liquidated its high-level interagency coordination body and replaced it with an auxiliary body subordinate to the Minister of the Interior. Government efforts to identify and protect child victims remained inadequate. The government continued to make minimal efforts to address forced labor, and courts failed to adequately hold labor traffickers accountable in the reporting period despite NGOs serving approximately 520 victims of forced labor in the past five years.”³³

Romania adopted a five-year national strategy and national action plan last year, but “courts convicted significantly fewer traffickers and officials identified considerably fewer victims, continuing a multi-year decline in such efforts. Endemic corruption and alleged complicity in trafficking crimes persisted without punishment, particularly with officials exploiting minors while in the care of government-managed placement centers. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on witness protection, restitution for victims, and sentencing for perpetrators. Moreover, lack of sufficient government funding for assistance and protection services remained problematic, leaving most victims without services, susceptible to re-traumatization, and vulnerable to re-trafficking.”³⁴

Finally, although Slovakia implemented a new victim protection law, provided better care for victims, and approved a new national program to fight trafficking, “convictions decreased and Slovak courts suspended every convicted traffickers’ sentence, resulting in none of them spending time in prison. The government identified fewer victims, and authorities did not adequately identify foreign or domestic trafficking victims within the country or adequately sensitize the growing foreign worker population to trafficking risks, its rights, and available victim assistance; the government did not utilize witness protection programs for trafficking victims; and the government rarely awarded compensation to victims.”³⁵

³¹ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/italy/>

³² <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kazakhstan/>

³³ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/poland/>

³⁴ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/romania/>

³⁵ <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/slovakia/>

New Legislation to Fight Human Trafficking in the Hotel Industry

On February 28 of this year, I introduced legislation (HR 1427) to prioritize U.S. government business with hotels that have strong anti-human trafficking policies in place.³⁶ I believe that government travelers should be staying at hotels that are part of the solution to human trafficking, not part of the problem. At least six of the ten major hotels chains in the world have taken the initiative to train their staff to recognize and report when human traffickers use their hotels for crime. These are the hotels that deserve government business. Training is widely available, inexpensive, short - and saves the lives of women and children. Hotels should join the fight to stop trafficking, and our governments should ensure that government travelers use responsible hotels.

The bill's provisions include:

- Enforcing a “zero tolerance” policy on human trafficking, as defined by federal law;
- Ensuring that employees have been trained to recognize and report human trafficking cases;
- Posting in a place accessible to employees or in the employee handbook the signs of human trafficking and how to report human trafficking;
- Keeping track of reports of human trafficking, and of how the information was handled;
- Protecting employees who reported human trafficking according to the hotel protocol.

The legislation also mandates that the General Services Administration:

- Keep a list of hotels that meet these criteria for use by government travelers;
- Make available sample trainings and posters with recognition and reporting information, many of which are already available through the private sector, NGOs and the Department of Homeland Security.

Hearings

In my Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, I held multiple hearings over the last year that addressed various aspects of human trafficking.

Tragically, UN peacekeepers sent abroad to protect local populations from war are still sexually exploiting those populations, too often with impunity. In September, I chaired a hearing in my Subcommittee on Africa, Global Health, Global Human Rights, and International

³⁶ H.R. 1427 (Feb. 28, 2019) <https://www.congress.gov/116/bills/hr1427/BILLS-116hr1427ih.pdf>.

Organizations entitled, “Reviewing Current Developments in Ethiopia,”³⁷ which discussed how the United States and international community could help Ethiopia, a Tier 2 country that supplies more peacekeeping troops than any other country, to become an anti-trafficking force in the region. When I visited the region over the summer, I met with the then-head of Ethiopia's National Defense Force, General Saere Mekonnen, and discussed how the United States could engage helpfully with Ethiopia on human trafficking, perhaps incorporating anti-trafficking education into IMET. Ethiopia is also a source country for trafficking victims, and the hearing covered ways to prevent victimization of women and girls in particular—such as economic development in impoverished villages.

I encourage each participating State ensuring anti-trafficking training and accountability for their citizens who are UN Peacekeepers and sent to protect—not exploit—vulnerable populations.

Conclusion

Although the 2019 Trafficking in Person’s Report numbers show flagging prosecutions to fight trafficking in Europe, many participating States did well to implement best practices related to convictions and victim identification last year. OSCE anti-trafficking best practices—many of them created right here in the Parliamentary Assembly—offer each participating State a map to success.

As I saw this year with the passage of the Frederick Douglass Reauthorization Act, legislative implementation of the best practices developed in the OSCE are within reach. I hope that each delegation will take best practices from Ministerial Decision 7/17³⁸ or recent OSCE PA resolutions and turn them into legislation this year, including the best practice of educating schoolchildren to avoid human traffickers. Please join me in this effort until we have raised a generation that is free of human trafficking.

³⁷ “Reviewing Current Developments in Ethiopia,” House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights and International Organizations (September 12, 2018)
<https://docs.house.gov/meetings/FA/FA16/20180912/108670/HHRG-115-FA16-Transcript-20180912.pdf>.

³⁸ “Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Exploitation, as well as Other Forms of Sexual Exploitation of Children,” OSCE Ministerial Decision 7/17 (December 8, 2017)
<https://www.osce.org/chairmanship/362016?download=true>.