

*Report on Human Trafficking Issues
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by

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Mr. President, fellow parliamentarians, please accept the following report on my activities since the 2021 Winter Meeting as the Special Representative on Human Trafficking Issues for the OSCE PA.

High Level Meetings and Speaking Events

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. Over the last year, I have taken every opportunity to raise human trafficking concerns and best practices with high-level officials. Although COVID-19 related restrictions have continued to prevent most in person meetings, I have been able to participate in several online events.

The annual Alliance Against Trafficking in Persons Conference took place virtually June 14-16 focused on “Confronting Demand.” The Alliance is one of the largest international anti-trafficking events, and this year it brought together over 850 participants from 55 countries to discuss how “the demand for goods and services extracted from trafficking victims fuels trafficking and motivates exploitation.”

On June 14, I participated in a side event organized by the OSCE Special Representative on Combating Trafficking in Human Beings on "Protecting the most vulnerable: putting a spotlight on the demand that fosters trafficking in children."

New patterns of exploitation have emerged due to increased online activity and greater use of social media. There is evidence that this resulted in increased trafficking online and demand for online pornography, including child sexual exploitation materials. There are even reports that traffickers are making more use of webcams and live-streaming sexual exploitation of children. The U.S. Federal Bureau of Investigation, or FBI, issued a press release at the height of the pandemic warning parents to be more vigilant about the possibility that their children could be targeted by sexual predators. The NGO ECPAT has raised concern that, while sex tourism may have been on hold during the COVID-19 related shutdown of the travel industry, sexual predators were online, seeking to groom children so that they can meet and abuse them in person when they can travel again.

What can we do? I would like to share two things we are doing in the United States and strengthening in this year’s reauthorization of the Trafficking Victims Protection Act, which could also help internationally: educating schoolchildren to protect them from online grooming

and trafficking, and thwarting sexual predators who engage in sex tourism through the use of international notifications about traveling sex offenders.

While schools were closed during the pandemic, children spent more of their time online where they were vulnerable to being groomed by sexual predators and lured into trafficking situations. The number of children online at home also increased, as some schools provided computers or similar devices to underprivileged students who could not afford them. And unfortunately, in general, the devices provided did not come equipped with software to protect children.

Children also may inadvertently make themselves vulnerable by engaging in high-risk behaviors online, such as lying about being older to access certain platforms, or sending explicit photos or videos of themselves, known as “sexting.” There are reports that websites such as Pornhub are trying to groom future customers by tagging their content in such a way as to lure young children into clicking on and accessing pornography instead of the innocent content they thought they were accessing.

Addressing these vulnerabilities was the topic of a resolution I authored that was adopted by the OSCE Parliamentary Assembly Annual Session in Luxembourg in 2019 and that formed the basis for a U.S.-proposed OSCE Ministerial decision the same year, which unfortunately did not find consensus. These focused on educating students and teachers on how to identify and avoid human trafficking and how NGOs can help with this, such as the Frederick Douglass Family Initiatives, A21 Campaign, Just Ask, and others like the National Center for Missing and Exploited Children who have already developed school courses in this regard.

In the United States, we were already working on this even before the pandemic. The 2019 Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act - a bill I proposed - authorized \$430 million over four years for a comprehensive whole-of-government effort to fight sex and labor trafficking at home and abroad, including an education component. This year, I am working to update it to better target programs to ensure that the most at risk receive age appropriate, linguistically accessible, and culturally responsive education materials.

Finally, I would like to note another tool we are using in the United States and strengthening in our reauthorization of the Trafficking Victims Protection Act, to thwart child traffickers, which is known as “International Megan’s Law.” Megan’s Law honors the memory of Megan Kanka - a seven-year-old girl who was kidnapped, raped, and brutally murdered in 1994 by a convicted, repeat sex offender who lived across the street, unbeknownst to her family and other residents in the neighborhood.

Today all 50 states and all U.S. territories have their own Megan’s Laws requiring sex offenders to register with local authorities. Most of this information is also made publicly available online.

International Megan’s Law takes the lessons we learned domestically and expands them to protect children abroad through an efficient system that is consistent with the civil liberties of perpetrators, warns foreign law enforcement of traveling sex offenders with previous offenses against children.

Since the passage of International Megan’s Law in 2016, more than 100 countries have been warned by the United States of over 13,000 convicted child predators with plans to visit their country. Empowered with this information, almost half—5,500— were denied entry.

Concerned that some may fail to include their true destination when filing—and out of an abundance of concern for children—International Megan’s Law requires that their passports contain the message that the “bearer was convicted of a sex offence against a minor child.”

International Megan’s Law mitigates the invisibility of child sex tourism. I would be pleased to provide more information to any delegation that desires to establish an alert system in their country. On June 15, I participated in a side event during the organized by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) on “Ensuring Survivor Voices in All Anti-Trafficking Policies Addressing Demand for Trafficking in Human Beings.” The event showcased the advice, guidance and recommendations of the International Survivors of Trafficking Advisory Council (ISTAC) in an exchange of information among OSCE delegations, international experts, survivor leaders and civil society on ensuring that survivor voices are reflected in all demand-related anti-trafficking policies.

I began working on combating human trafficking back in the 1990s after meeting and listening to survivors. Survivors are the real experts; their lived experiences and their perspectives can help inform our policies and our legislation and make them more effective. Survivor engagement is important to building effective victim-centered and trauma informed anti-trafficking strategies that address prevention – including reducing demand, assisting victims, and promoting effective prosecution of perpetrators.

The United States established its own Advisory Council on Human Trafficking in 2015 as a platform to enable trafficking survivors to provide recommendations on federal anti-trafficking policies to the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF). Members of the Council are appointed by the President for two-year terms. In 2019, the U.S. State Department launched its own Human Trafficking Expert Consultant

Network (the Network), which among other things, has provided comments to the U.S. delegation during negotiations of OSCE Ministerial decisions. I myself find recommendations from survivors extremely valuable in the legislative process.

Effects of the COVID-19 Pandemic on Anti-Trafficking Efforts

The COVID-19 pandemic has had a serious impact on anti-trafficking efforts, on patterns of trafficking, on victims and on survivors. While some have prospered during the pandemic, others have suffered economic dislocation, including in our own industrial societies, not to mention in the developing world, creating a mass of people more vulnerable to exploitation and sex and labor trafficking.

Some of the trends we saw develop due to the shift of so many activities on line – such as exacerbated vulnerabilities of children to online grooming and targeting by traffickers as schools became virtual and children spent more time online in social media and gaming – are likely to remain a problem, as traffickers continue to use virtual platforms also for on-demand and streaming sexual exploitation.

In February, the United Nations Office on Drugs and Crime, or UNODC, came out with a Global Report on Trafficking in Person report found that traffickers integrated technology at every stage of the process, from recruiting to exploiting victims. Children were especially vulnerable on social media. UNODC identified two types of tactics employed by traffickers: “hunting” or actively pursuing a victim, typically on social media; and “fishing”, when perpetrators post job advertisements and wait for potential victims to respond.

The internet also allowed traffickers to live stream the exploitation of their victims, enabling the simultaneous abuse of one victim by many perpetrators around the globe.

Another trend is the increased use of cryptocurrencies and virtual currencies, requiring that law enforcement needs to have more resources and training to investigate the online aspects of human trafficking, including following the trail of virtual currencies and investigating on the “dark web.”

I was pleased to participate as an expert last spring for the [survey](#) done by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and UN Women on the effects of the COVID-19 pandemic on anti-trafficking efforts. The survey was conducted among survivors of trafficking and frontline stakeholders, and a set of policy recommendations was developed based on the empirical data collected. According to the survey, the COVID-19 pandemic particularly exacerbated the vulnerability of women and girls to trafficking for the purposes of

sexual exploitation. “Online recruitment, grooming and exploitation have been widely used by traffickers during the pandemic. There are also indications that trafficking for the purpose of sexual exploitation online, including the demand for Child Sexual Abuse Material (CSAM) has increased. The majority of anti-trafficking stakeholders and survivors of trafficking reported decreased accessibility of assistance and services for victims and survivors of trafficking.”

The consequences of the COVID-19 pandemic are affecting and will continue to affect children worldwide due to the economic downturn, the negative impact on their health and development, the worsening of the learning crisis, and the effect on child safety. The COVID-19 pandemic is exacerbating vulnerabilities of children to THB due to school closures, increase in domestic violence and economic insecurity of households, as well as children’s increased time online. Another risk to children relates to encountering child sexual abuse material (CSAM) online. As restrictions are lifted, children may be trafficked, forced out of school and into labour, bearing the burden of sustaining their families. According to the survey findings, children who are victims of abuse, street children, stateless children, internally displaced or undocumented children and unaccompanied children are particularly vulnerable to THB. This is partly corroborated by the United Nations Sustainable Development Group Policy Brief on The Impact of COVID-19 on children, which reported on increased risks of sexual exploitation of children living in camps for refugees, migrants and internally displaced persons.

The survey also found that “frontline organizations experienced significant challenges in their activities during the pandemic due to additional barriers in co-ordination and co-operation with governmental institutions and law enforcement agencies; lack of financial resources; difficulties in reaching vulnerable groups; and suspension or postponement of planned prevention and awareness raising activities.”

According to data from Europol, the COVID-19 pandemic had the most significant impact on cybercrimes compared to other forms of criminal activities. Pornhub, the largest pornography site in the world, which is under investigation for hosting videos of trafficking victims, children and rape, reportedly has provided free access to all its content during the COVID-19 outbreak worldwide, likely generating further demand for trafficking in women and children for the purpose of pornography production and other forms of trafficking for sexual exploitation online. There is evidence that some in the sex industry moved their operations online due to lockdown measures. Although the evidence is anecdotal, webcam sex trafficking also appears to be increasing. The shift towards the Internet is closely linked to additional privacy risks for the individuals concerned, making them more vulnerable to blackmail and further exploitation.

Moreover, there are reports of increased grooming and exploitation of children online through gaming sites and social media platforms by sexual predators during the emergency

measures, as children have to stay home and the demand for pornography has risen. International and national law enforcement agencies, including EUROPOL and the FBI, are warning about the increasing risk of sexual exploitation on the internet and signs of child abuse or child trafficking. Available information indicates a growth of demand for CSAM and growth of CSAM and online exploitation, especially through the use of livestreams since the beginning of the COVID-19 pandemic. Technology companies using automated tools to detect child abuse content based on previously categorized material are struggling to identify new uncategorized data and are further constrained by the impact of the pandemic due to lack of capacity.

At the same time, distributors of CSAM are constantly developing sophisticated, cross-platform strategies in coded language to evade detection, and using popular platforms to attract audiences, diverting interested consumers to private channels for access to the material. In this regard, Australian authorities reported the identification of an online grooming manual shared by perpetrators. A number of European countries reported an increase in reports of online CSAM during the COVID-19 pandemic, as well as attempts to access illegal materials online. Other regions have also recorded an increase of these indicators.

In addition, Europol reported on conversations in online forums (including those in the Dark Web) on increased availability of children online during the COVID-19 pandemic due to isolation, unsupervised internet access, as well as more time for offenders to download and trade CSAM as many are teleworking or spending more time at home due to restriction of movement. According to the OSCE/ODIHR and UN Women survey, 10% of the survivor respondents who have children reported that during the COVID-19 pandemic, their child was targeted with offers of employment or solicitation of their images.

OSCE/ODIHR and UN Women put out a short summary sheet from the results of their June 2020 survey, whose results are still valid and future oriented:

- Since the pandemic began, 34% of female respondents reported being targeted with offers of employment in another country that was directly, or potentially related to possible exploitation and 21% of females were targeted with offers from the sex industry. In addition, 14% of female survivors were targeted to engage in illicit activities.
- In most cases, these offers were made online as traffickers adapt to restrictions under the pandemic.
- More than half of respondents believe the pandemic will increase rates of trafficking in the future, and 43% of both male and female survivors believe women and girls are most at risk.

- Respondents reported that online sexual exploitation and trafficking of children is increasing, especially among girls.
- Nearly 50% of respondents had experienced delays in receiving ‘Victim of Trafficking’ status, affecting their ability to access shelter, financial support and reunification with their children.
- Respondents reported that it has become more difficult for survivors to access employment (85%), medical services (73%), social services (70%), repatriation services (66%), safe accommodation (66%), legal assistance (66%), and access to food and water (66%).

Knowing this information points to ways that we as legislators can help. It is my hope that with this knowledge comes action.

In addition, ODIHR is coming out with a new handbook on National Referral Mechanisms that will lay out some best practices for governments to adopt to ensure that those most likely to come into contact with trafficking victims and trained and prepared to identify and assist them.

Even before the pandemic, most children were unprepared for the psychological coercion or false promises used by traffickers to entice and enslave their victims. Children also may inadvertently make themselves vulnerable by engaging in high-risk behaviors online, such as lying about being older to access certain platforms, or sending explicit photos or videos of themselves, known as “sexting.”

One way we can fight this and protect our children is by education to keep them safe online. Through our reauthorization of the Trafficking Victims Protection Act, we are partnering with the technology private sector to help educate school staff and their students on how to prevent, identify, and report online grooming, exploitation, and abuse. You can find a discussion of this in the Survey report and recommendation number 57, which deals with responding to the increase in online grooming and exploitation by developing age-appropriate training tool for children, as well as for parents and educators.

This was also the topic of a resolution I authored that was adopted at the 2019 OSCE Parliamentary Assembly Annual Session in Luxembourg. It focused on educating students and teachers on how to identify and avoid human trafficking. In Luxembourg, I also held an event that discussed how NGOs, including the Frederick Douglass Family Initiatives, A21 Campaign, Just Ask, and others like the National Center for Missing and Exploited Children, have developed age-appropriate school courses to educate students on how to avoid trafficking traps, and how to educate teachers as well.

There already have been efforts to address these increasing vulnerabilities in the context of the pandemic. The U.S. Federal Bureau of Investigation, or FBI, issued a press release in late March warning parents to be more vigilant about the possibility of their children being targeted by sexual predators during the current pandemic. The NGO ECPAT has raised concern that, while sex tourism may be on hold during the shutdown of the travel industry, sexual predators are at home and online, seeking to groom children so that they can meet and abuse them in person when travel restrictions are lifted. ECPAT has made available a Youth Online Safety Guide, which I hope may be of use in OSCE countries.

In the United States, we have already been working on this. In January 2019, President Trump signed into law the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act - a bill I proposed - authorizing \$430 million over four years for a comprehensive whole-of-government effort to fight sex and labor trafficking at home and abroad, which includes a component to ensure that children in the United States are educated in an age appropriate manner about how to avoid becoming victims of sex and labor trafficking.

This law honors the extraordinary legacy of one of the greatest Americans who ever lived, Frederick Douglass. He was born a slave in 1818, escaped slavery at the age of 20 and became a leader in the fight to abolish slavery and, later, to ending Jim Crow laws.

In this year's reauthorization of the Trafficking Victims Protection Act, Rep. Karen Bass and I are authorizing opportunities for survivors to receive college education and professional development. We are also authorizing primary prevention research on trafficking in the United States, so we can better assess how to address demand, prevent trafficking, and protect vulnerable populations to trafficking. There is much we can do to improve our knowledge in this area, including improving data collection while also protecting the confidentiality of the victims and survivors of trafficking. We are addressing both in our bill. Likewise, we are improving our standards to fight human trafficking by ensuring that our Federal Departments and Agencies have codes of conduct and training that instruct employees how to prevent, identify, and report trafficking in persons. We encourage all entities, including U.S. companies, to also adopt and publicly post similar policies.

There are other areas where I think we could strengthen our OSCE commitments.

One is to strengthen our efforts to investigate and prosecute traffickers through financial transactions. With this rise of online sexual abuse of children, we need to address how new technologies are being used in financial transactions - including cryptocurrencies - to hide traffickers' nefarious activities from the eyes of law enforcement. We need to do more to train our law enforcement to address this issue and step up international cooperation in this regard.

We also need to do more to reduce and address the demand that fosters all forms of exploitation. I participated in two side events during the recent OSCE Alliance Against Trafficking Conference, which this year focused on the issue of demand. The Office of the OSCE Special Representative on trafficking—Val Richey—also recently published an excellent report on “Discouraging the Demand that Fosters Trafficking for the Purpose of Sexual Exploitation.”

Establishment of the OSCE/ODIHR International Survivors of Trafficking Advisory Council

I would like to applaud the establishment this year of the OSCE/ODIHR “International Survivors of Trafficking Advisory Council,” or ISTAC, the first such council established by an international organization. ISTAC consists of 21 leading survivors of human trafficking from across the OSCE and will assist with OSCE work in combatting trafficking in human beings.

The United States established its own Advisory Council on Human Trafficking in 2015 as a platform to enable trafficking survivors to provide recommendations on federal anti-trafficking policies to the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF). Members of the Council are appointed by the President for two-year terms. In 2019, the U.S. State Department launched its own Human Trafficking Expert Consultant Network (the Network), which among other things, has provided comments to the U.S. delegation during negotiations of OSCE Ministerial decisions. I myself find recommendations from survivors extremely valuable in the legislative process.

I urge other OSCE states to create their own councils to provide a platform for survivor voices to be heard by policymakers.

U.S. State Department *Trafficking in Persons Report 2021: Human Trafficking in the Context of a Global Pandemic*

The 2021 *Trafficking in Persons Report*¹ was released on July 1, 2021 by Secretary of State Antony Blinken. 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

¹ U.S. Department of State, *2021 Trafficking in Persons Report* (July 2021) <https://www.state.gov/reports/2021-trafficking-in-persons-report/>

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.

This year’s report focused on the COVID-19 pandemic as a health crisis with unprecedented repercussions for human rights and economic development globally, including in human trafficking. According to the report, “COVID-19 generated conditions that increased the number of people who experienced vulnerabilities to human trafficking and interrupted existing and planned anti-trafficking interventions. Governments across the world diverted resources toward the pandemic, often at the expense of anti-trafficking efforts, resulting in decreased protection measures and service provision for victims, reduction of preventative efforts, and hindrances to investigations and prosecutions of traffickers. At the same time, human traffickers quickly adapted to capitalize on the vulnerabilities exposed and exacerbated by the pandemic.” The report discusses the growing number of people experiencing economic and social vulnerabilities, how traffickers adapted and exploited COVID-19 related risks, including targeting the growing number of people affected by the worsening economic and social effects and offering false promises and fraudulent job offers or re-exploiting survivors who became financially unstable and vulnerable to revictimization. It also focused on the increase in online recruitment and grooming as children spent more time online for virtual learning due to school closures, often with little parental supervision and drastic increases in online commercial sexual exploitation and sex trafficking, including online sexual exploitation of children and demand for and distribution of child sexual exploitation material, including content that involved human trafficking victims. The report showed that “victims and survivors faced obstacles accessing assistance and support as lockdowns, social distancing protocols, and a lack of resources caused service providers to close shelters and reduce services.”

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: Belarus, Armenia, Bosnia and Herzegovina, Kazakhstan, Kyrgyzstan, and Uzbekistan

Several OSCE participating States made significant progress last year. Belarus moved up from Tier 3 to the Tier 2 Watchlist for its efforts including “fewer Belarusians participating in the 2020 national *subbotnik*, and there were no reports of retaliation. Additional achievements included amending the national referral mechanism (NRM) to improve victim identification and assistance and requiring the recording of child victim and witness testimony during pre-trial investigation for later use in court to reduce possible re-traumatization.”²

Armenia moved up from the Tier 2 Watchlist to Tier 2. It “investigated more suspects, convicted a sex trafficker, and identified more victims. The government developed a manual for local police on monitoring businesses for trafficking and engaging vulnerable communities and adopted a law that restricted interviews for children to 90 minutes in the presence of a psychologist. The Prosecutor General’s Office (PGO) created a working group to review all trafficking cases from 2018-2019 to identify legal or procedural issues and law enforcement added trafficking curriculum to train the new patrol police. The government significantly increased resources to the NGO-run shelter, developed screening indicators for social workers, and strengthened procedures to identify child victims. The government allocated funds to repatriate victims for the first time, and it adopted the 2020-2022 national action plan (NAP) and allocated resources to its implementation.”³

Bosnia and Herzegovina also moved up from the Tier 2 Watchlist to Tier 2. Its efforts included, “efforts included strengthening the anti-trafficking strike force by allocating resources for honoraria and operational costs, expanding membership of the strike force, and creating a network of prosecutors and investigators to facilitate coordination.”⁴ Kazakhstan moved up to Tier 2 for “investigating more trafficking cases and identifying more victims of sex trafficking and forced labor than the previous year; increasing the number of trafficking convictions for the first time in five years; and, achieving the first convictions for forced labor crimes in three years.”⁵ Kyrgyzstan was upgraded for its efforts including, “efforts included initiating investigations into potential cases of official complicity; reassessing hundreds of previously dismissed cases for trafficking indicators, leading to the reinstatement of several investigations; repatriating dozens of vulnerable Kyrgyzstani children from potentially exploitative circumstances in armed conflict zones in Iraq and Syria; and, with support from an international organization, developing and disseminating anti-trafficking training materials for police and prosecutors.”⁶

² <https://www.state.gov/reports/2021-trafficking-in-persons-report/belarus/>

³ <https://www.state.gov/reports/2021-trafficking-in-persons-report/armenia/>

⁴ <https://www.state.gov/reports/2021-trafficking-in-persons-report/bosnia-and-herzegovina/>

⁵ <https://www.state.gov/reports/2021-trafficking-in-persons-report/kazakhstan/>

⁶ <https://www.state.gov/reports/2021-trafficking-in-persons-report/kyrgyz-republic/>

Uzbekistan continued to make progress and was upgraded from the Tier 2 Watchlist to Tier 2. Improvements included, “passing a new anti-trafficking law outlining improved victim protection protocols; amending the criminal code to explicitly criminalize child forced labor in the first offense; identifying more victims than in prior years; investigating, prosecuting, convicting, and sentencing significantly more traffickers than the previous reporting period, constituting the first quantitative enforcement increase in six years; and, for the first time, referring potential cases of official complicity in cotton harvest forced labor for criminal investigation. Authorities also undertook new efforts to repatriate and provide robust protection and reintegration services for hundreds of Uzbekistani women and children previously stranded in exploitative conditions that often amounted to trafficking in armed conflict zones in Syria, Iraq, and Afghanistan; mitigated elevated risk among vulnerable populations during the pandemic by connecting nearly half a million unemployed migrant workers with job opportunities; and significantly reduced the incidence of forced labor in the annual cotton harvest—despite an increase in the size of the work force—through continued mechanization and privatization measures, increased oversight into labor practices, expanded provision of monitoring access to civil society and international organizations, and other factors.”⁷

Participating States Losing Ground in the Fight Against Trafficking: Cyprus, Norway, Portugal, and Switzerland

The fight against trafficking in persons requires constant vigilance. Cyprus was downgraded from Tier 2 to Tier 2 because “the government investigated fewer suspects, and, for the third consecutive year, courts did not convict any perpetrators under the trafficking law. Court proceedings for most crimes lasted years, and foreign victims and witnesses often returned to their countries of origin without an adequate means to ensure the continued inclusion of their testimony, resulting in trafficking cases convicted under lesser charges.”⁸

Norway was also downgraded from Tier 1 to Tier 2. “Authorities prosecuted zero trafficking cases for the first year ever, convicted only one trafficker—the fewest since 2005, and continued to charge traffickers with non-trafficking crimes, such as pimping. Victim identification and assistance data remained unreliable. For the fourth consecutive year, the government did not report an official number of identified and assisted victims and continued to delay development of a comprehensive statistical system for collecting data, formal identification procedures, and a national referral mechanism (NRM). Moreover, authorities did not consistently identify potential child trafficking victims and did not report identifying or assisting any child victims despite their involvement in trafficking cases. Finally, authorities’ sole focus on an individual’s lack of residence

⁷ <https://www.state.gov/reports/2021-trafficking-in-persons-report/uzbekistan/>

⁸ <https://www.state.gov/reports/2021-trafficking-in-persons-report/cyprus/>

permit or immigration documentation resulted in the deportation of victims without screening for trafficking indicators.”⁹

Portugal was downgraded from Tier 1 to Tier 2. “The government prosecuted fewer suspects and did not report convicting any traffickers at the time of this report. The government identified significantly fewer victims for the second consecutive year and the fewest since 2008. The government did not identify any Portuguese or child victims as a result of ongoing gaps in victim identification. The government also continued to lack legal safeguards to protect victims from prosecution for crimes their traffickers compelled them to commit.”¹⁰ Switzerland was downgraded to Tier 2 as a result of “Lenient sentencing, resulting in 60 percent of traffickers receiving fully suspended sentences or fines, undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns—particularly for victims who cooperated with investigations and prosecutions, and was not equal to the seriousness with which other similar crimes were treated regarding sentencing. The government did not report the number of trafficking investigations for the third year in a row and reported fewer convictions, which could not be attributed to pandemic-related court closures. Law enforcement efforts on labor trafficking remained low compared with sex trafficking, and the government lacked comprehensive and sufficiently disaggregated data on trafficking. For the third consecutive year, the government decreased victim identification and identified the fewest victims since 2015. The government remained without a national standardized identification and referral mechanism and continued to lack legal safeguards to protect trafficking victims against potential prosecution.”¹¹

Participating States Remaining on Tier 3: The Russian Federation and Turkmenistan

Two OSCE participating States have remained on Tier 3 for many years.

Russia “took some steps to address trafficking, including by facilitating the return of Russian children from Iraq and Syria, identifying some victims, and extending work and residence permits for foreign workers in response to the pandemic. However, during the reporting period there was a government policy or pattern of trafficking. The government was actively complicit in the forced labor of North Korean workers. The government did not screen North Korean workers for trafficking indicators or identify any North Korean trafficking victims, despite credible reports in previous years that the Democratic People’s Republic of Korea (DPRK) operated work camps in Russia and exploited thousands of North Korean workers in forced labor. Although the government took steps to

⁹ <https://www.state.gov/reports/2021-trafficking-in-persons-report/norway/>

¹⁰ <https://www.state.gov/reports/2021-trafficking-in-persons-report/portugal/>

¹¹ <https://www.state.gov/reports/2021-trafficking-in-persons-report/switzerland/>

repatriate North Korean workers in accordance with UN Security Council resolutions (UNSCRs), citizens from the DPRK continued to arrive throughout the year, many of whom likely engaged in informal labor. While the Russian government reported the number of North Korean workers in Russia declined in 2020, the government issued almost 3,000 new tourist and student visas to North Koreans in 2020 in an apparent attempt to circumvent the UNSCRs. Separate from this complicity, the government did not initiate any new prosecutions of suspected traffickers and convicted only one trafficker. Authorities continued to lack a process for the identification of victims and their referral to care, and the total number of victims identified by the government remained negligible compared with the estimated scope of the problem. Moreover, the criminal code did not establish a definition for a victim of trafficking, hindering identification efforts and limiting access to victim services. Authorities routinely penalized potential victims, including by detaining and deporting potential forced labor victims for immigration violations, and prosecuted sex trafficking victims for prostitution crimes without screening for trafficking indicators. The government offered no funding or programs to provide services for trafficking victims. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies to combat human trafficking”¹²

Turkmenistan “took some steps to address trafficking, including by continuing to participate in anti-trafficking awareness campaigns and continuing to purchase equipment for mechanization of the cotton harvest to reduce the vulnerability to forced labor generated by dependence on handpicking. However, during the reporting period, there was a government policy or pattern of forced labor; the government continued to direct policies that perpetuated the mobilization of adults and children for forced labor in the annual cotton harvest, in public works projects, and in other sectors in some areas of the country. The government’s denial of access to independent monitoring missions—coupled with pandemic-related limitations—prevented robust observation of the cotton harvest. Despite these trends, the government did not hold any officials accountable for their complicity in forced labor crimes. The government did not report any information on investigations, prosecutions, or convictions; identified no victims; did not implement legal provisions on victim protection; and did not fund any victim assistance programs.”¹³

Migration and Human Trafficking

I appreciated that the OSCE PA Ad Hoc Committee on Migration herald a special virtual session on February 19 to focus on “Combatting Human Trafficking along Migration Routes,

¹² <https://www.state.gov/reports/2021-trafficking-in-persons-report/russia/>

¹³ <https://www.state.gov/reports/2021-trafficking-in-persons-report/turkmenistan/>

with a focus on children, and exploring the synergies between the work of the OSCE PA and the OSCE,” with the participation of OSCE Special Representative and Coordinator for Trafficking in Human Beings Val Richey.

Pandemic related travel restrictions also affected migrants – including those who travel for regular seasonal work as well as those fleeing violence and persecution – increasing their vulnerability to human trafficking as they turn to less safe, irregular channels of migration or are unable to return to their home countries and are forced to continue work without adequate protection. For example, NGOs have reported that Syrian refugees have been trafficked into garment supply chains, including children. Rohingya refugees fleeing violence in Myanmar have been at heightened risk for both forced labor and commercial sexual exploitation. In addition, pandemic restrictions have greatly reduced the amount of remittances that migrant workers send home: the World Bank has estimated that cross-border remittances could shrink by as much as 20%. This can result in increased poverty and vulnerability to human trafficking for migrant workers and their families.

There are OSCE commitments addressing this issue. OSCE participating States have recognized the vulnerability of children in migration flows, including unaccompanied minors, to human trafficking and agreed on the importance of capacity building and training for first line responders and those working in the travel industry to better identify child victims and provide them with appropriate protection and assistance; on the need to strengthen international cooperation, including by sharing information; on considering appointing a national focal point to whom inquiries regarding child victims can be addressed; and on recognizing the important role of civil society, including religious organizations, in combating human trafficking and assisting victims.

We need to step up our efforts to ensure that our commitments are put into practice, and as parliamentarians, we can ensure that our legislation is in accordance with these commitments.

Conclusion

This was not a normal year, as we all continue to struggle to overcome the COVID-19 virus and address its impact and repercussions. This is true for our anti-trafficking efforts as well. We must respond to these new challenges and ensure that our efforts are effective against these new trends and challenges. I urge you all to work within your parliaments to strengthen your legislation and policies to combat human trafficking. We also need international cooperation and coordination more than ever. Please join me in this effort until we have raised a generation that is free of human trafficking.