

*Report on Human Trafficking Issues
to the 2018 Annual Meeting
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 activities since the last Annual Session as the Special Representative on Human Trafficking Issues for the OSCE PA.

High Level Meetings

Through regular and irregular migration, tourism, trade, and supply chains, human trafficking concerns in the OSCE region are inextricably bound to nearly every region of the world. Over the last year, I have had the opportunity to raise human trafficking concerns and best practices with heads of state, foreign ministers, numerous parliamentarians, and official delegations, including Secretary General of the United Nations Antonio Guterres; President of Uganda Yoweri Museveni; and OSCE Secretary General Thomas Greminger.

I also had the privilege of discussing the prevention and amelioration of human trafficking with Poland's Deputy Minister for National Defense, Tomasz Szatkowski; South African Health Minister Aaron Motsoaledi; Guatemala's Minister of Government Enrique Degenhart; and Guatemala's Vice Minister of Technology and Communications, Gabriel Juarez. Ambassador Manuel Espina of Guatemala also discussed strategies to end human trafficking with me over the course of the last year, particularly the prevention of child sexual exploitation.

Members of parliament, who are key to writing or refining trafficking laws in their own countries, often welcome discussion of best practices to end human trafficking we have been developing in the United States Congress. To this end, I shared best practices with representatives from the European Parliament, Germany, Romania, Canada, Moldova, Brazil, and Tanzania.

With the change in presidential administrations in the United States, I have made it a priority to reach out to the new U.S. Administration regarding trafficking policy, including meeting with Secretary of State Rex Tillerson, Deputy Secretary of State John Sullivan, our new Secretary of State Mike Pompeo, Assistant Secretary for European and Eurasian Affairs Wess Mitchell, and U.S. Agency For International Development Administrator Mark Green. I have also met often with the U.S. Ambassador to the United Nations, Nikki Haley.

In an effort to coordinate anti-trafficking work among OSCE institutions, I also met with Ambassador Christian Strohal, Special Representative of the OSCE Austrian Chairmanship, OSCE PA President George Tsereteli, and OSCE PA Secretary General Roberto Montella.

As we see all too often in the news, sexual exploitation and abuse by UN peacekeepers in countries facing conflicts and disaster is still an issue. Consequently, I met with UN Under Secretary General Jean Pierre Lacroix to discuss better prevention and accountability policies.

The role of faith leaders in educating adherents to recognize trafficking, preventing trafficking in displaced communities, and especially in providing rehabilitative assistance to trafficking survivors, should not be underestimated and cannot be overstated. I consequently

raised trafficking with Archbishop Marcel Utembi of the Democratic Republic of Congo, Cardinal Luis Antonio Tagle of Manila; and a delegation of bishops from El Salvador.

Berlin Supplementary Item: *Implementing Trafficking-Free Communities*

In keeping with this year's annual session theme, I have introduced a supplementary item that underscores how our previous 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, 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 reiterates the importance of ending virtual slave markets online by holding website owners criminally accountable. Until April of this year, 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.

No more. In April, the United States adopted the Allow States and Victims to Fight Online Sex Trafficking Act of 2017 (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 the 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. CEO Carl Ferrer has agreed to testify against the other leadership of the company.

Holding websites to account 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 run with immunity and impunity.

My supplementary item underscores 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, that have worked with the travel and tourism industry, including hotels, trains, and airlines, to prevent human trafficking, but many communities are at great risk.

My supplementary item encourages all participating States to begin or continue the 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 calls 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—4,000 have gone out to more than 100 countries in the last 2.5 years. The United States would greatly appreciate your State warning the United States of incoming child predators as well.

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, 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 has been doing great work to develop guidance for businesses on how to prevent trafficking in their supply chains—how to avoid putting money into the hands of traffickers who use forced and child labor. My Supplementary Item encourages States and businesses to make trafficking-free supply chains a non-negotiable priority.

According to the latest worldwide research by the International Labor Organization, 16 million people are exploited in labor trafficking, 4.8 million people are exploited in sex trafficking, and 4 million are exploited in state-imposed trafficking, such as prison labor, forced military service, and forced communal service.

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 calls on participating States to not only implement previous and new best practices to fight trafficking, but to implement them practices simultaneously, creating whole communities where there is no place for traffickers to hide—and no place where a trafficking victim is unprotected.

2017 OSCE Ministerial Council Turns OSCE PA Trafficking Supplementary Items into Ministerial Decisions

I am pleased to announce that, on December 8, 2017, the OSCE Ministerial Council at its annual meeting of the Foreign Ministers of the 57 OSCE participating States, adopted two decisions on human trafficking that incorporate previous OSCE PA supplementary items on human trafficking. Decision No. 7/17, “Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Sexual Exploitation, as well as Other Forms of Sexual Exploitation of Children,”¹ in particular, incorporated my Tbilisi (2016) and Minsk (2017) OSCE PA supplementary items on human trafficking.²

¹ OSCE Ministerial Council Decision No. 7/17, “Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Sexual Exploitation, as well as Other Forms of Sexual Exploitation of Children” (December 8, 2017) <https://www.osce.org/chairmanship/362016>. See also, OSCE Ministerial Council Decision No. 7/16 “Strengthening Efforts to Prevent Trafficking in Human Beings” (December 8, 2017) <https://www.osce.org/chairmanship/362096>.

² OSCE Parliamentary Assembly, 25th Annual Session, Tbilisi Declaration and Resolutions, Resolution on Law Enforcement Coordination to Prevent Child Sexual Exploitation and Trafficking by Known Sex Offenders (July 2016) <https://www.oscepa.org/documents/all-documents/annual-sessions/2016-tbilisi/declaration-24/3371-tbilisi-declaration-eng/file>. OSCE Parliamentary Assembly, 26th Annual Session, Minsk Declaration, Resolution on

Like the supplementary items, the decision will protect children from traveling sex offenders, from easy access to the online pornography that makes children vulnerable to trafficking, and from misuse of the internet advertising for child trafficking and other sexual exploitation. The decision was sponsored by the United States, Italy, and Belarus.

Sex Offender Registries to Stop New Offenses by Traveling Sex Offenders

As described in my 2016 Tbilisi supplementary item,³ traveling sex offenders rely on secrecy and anonymity to commit crimes against children. The new decision deters the sexual exploitation of children at home and abroad by calling on each of the OSCE participating States to keep a register of individuals who have committed sex offenses against a child, and to share that information with the law enforcement in travel destination countries.

Specifically, the decision calls on all 57 participating States to adopt “additional administrative measures in relation to perpetrators, such as the registration in sex offender registers of person convicted of child sexual exploitation or abuse, as appropriate.” The decision also calls on participating States to, where relevant, establish “a means to exchange and/or receive information on such registries transnationally among law enforcement agencies and/or judicial authorities on persons convicted of child sexual exploitation or abuse.”

As explained in my previous reports, sex offender registries of individuals convicted of sex crimes against children and transnational law enforcement cooperation are the basis of the Angel Watch Program in the United States, as codified by my *International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes through Advance Notification of Traveling Sex Offenders* (P.L. 114-119).⁴ International Megan’s Law requires the U.S. Department of Homeland Security to notify the intended destination countries in advance when someone on the registry is intending to travel. Since the implementation of International Megan’s Law in 2016, the United States has warned more than 100 destination countries of more than 4,000 sex offenders with offenses against children seeking entry into those countries.

Traveling perpetrators rely on secrecy and anonymity to commit crimes against children—registries and information-sharing puts the spotlight on the perpetrator, deterring future harms and allowing participating and partner States to protect their children.

In February 2018, an individual convicted in 2011 for sexual exploitation of a child and child pornography attempted to travel from the United States to a participating State. The United States sent advance notification to that State, which decided to conduct a border inspection of the perpetrator when he arrived. They found child pornography on his electronic devices. The

Preventing Child Sexual Exploitation Online through Advances in Technology (July 2017)
<http://www.oscepa.org/documents/all-documents/annual-sessions/2017-minsk/declaration-25/3555-declaration-minsk-eng/file>.

³ Ibid Tbilisi Declaration and Resolutions (2016), note 1 above.

⁴ *International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes through Advance Notification of Traveling Sex Offenders*, P.L. 114-119 (February 8, 2016) <https://www.congress.gov/114/bills/hr515/BILLS-114hr515enr.pdf>.

State also discovered that the individual was traveling to work as a cheerleading and gymnastics instructor for children in that State. The individual was deported and then arrested as soon as he was returned to the United States.

We can pinpoint and stop potential traffickers and buyers. I invite participating States to keep a list of individuals who have sexually abused children. I invite participating States to send and receive notifications when the perpetrators are traveling.

In order to facilitate these policies, I have developed a manual on how to form publicly available or private sex offender registries and use them for an international notification system. It can be found at the website below.⁵ I hope the manual will be of assistance to any country wishing to prevent its own sex offenders from committing crimes against children abroad, or any country wishing to be warned of sex offenders with a history of crimes against children seeking to enter the country.

Extra-Territorial Jurisdiction

In addition to registries, the decision calls on countries to enact extra-territorial jurisdiction in order to “prosecute their citizens for serious sexual crimes against children, even if these crimes are committed in another country.” Some travelers who sexually exploit children believe the laws of a destination country allow exploitation of a child, or rely on the fact that the judicial system in the destination country is weak. The ministerial decision underscores that human rights of the child to be protected from sexual exploitation is universal and calls for participating States to put all abusers on notice—they will be prosecuted when they return home. To this end, some participating States with extra-territorial jurisdiction laws have begun putting posters in their airports, warning their citizens that child sexual exploitation is a crime at home and abroad.

Preventing Misuse of the Internet for Facilitation of Sexual Exploitation

The internet was never meant to be a zone of impunity for traffickers and their accomplices. And yet, a trend we are seeing in the United States and across the OSCE region is the criminal use of classified websites for the advertising of trafficking victims.

The problem is not just in the United States. The 2017 Trafficking in Persons Report produced by the Department of State indicated that in Europe, “online-advertised prostitution organized by Russians and Bulgarians has increased, along with classified ads posted by organized networks ...of Romanian, Bulgarians, Nigerians, and Brazilians.”⁶

⁵ Rep. Chris Smith, *A Guide to Megan’s Laws: Prevention of Domestic and International Exploitation of Children*, Global Study: Exploitation of Children in Travel and Tourism (May 2016) <http://globalstudyssectt.org/wp-content/uploads/2016/05/Expert-Paper-The-Honorable-Chris-Smith.pdf>.

⁶ U.S. Department of State, *2017 Trafficking in Persons Report*, p. 173 (June 2017) <https://www.state.gov/j/tip/rls/tiprpt/>.

Like going after the pimps and buyers, prosecuting the middle-men, such as classified website owners who recklessly or knowingly participate in trafficking ventures, will help stop trafficking in our region. The massive number of victims means that participating States also need to allow the victims to sue the website owners in civil court. It is a way we can let the victims take back their lives, as well as incentivize classified website owners to report suspicious advertisements to police, rather than post them for their own financial benefit.

The 2017 Ministerial Decision, incorporating my 2017 Minsk Supplementary Item⁷, calls for accountability of those who misuse the Internet to knowingly or recklessly facilitate access to children for sexual exploitation or child trafficking—such as by advertising children on websites. Importantly, the decision calls on participating States to prosecute such individuals as “traffickers” and to impose “penalties that are effective, dissuasive, and proportionate to the crime.”

The 2017 Ministerial Decision also addresses trafficker and pedophile use of social media websites to seek-out and groom children for abuse.⁸ Too often, a trafficker or pedophile will expose a child to pornography through the social media website, sending photos, or asking the child to take their own nude pictures and send them. The trafficker then coerces the child into prostitution by threatening to show the child’s photos to their parents if the child does not “work” for them.⁹ In fact, Facebook announced last year that they would hire 3,000 more reviewers to help prevent use of the website for violence and child exploitation.¹⁰

To address this abuse of technology, the 2017 Ministerial Decision, like the 2017 Minsk Supplementary Item, underscores that traffickers also use social media to find victims, and calls on “social media companies to . . . protect children by combating grooming by human traffickers online for all forms of child trafficking as well as other sexual exploitation of children, including through the development of new tools and technologies.” Technology has exacerbated sex trafficking of children, but the application of new technologies can also prevent it.

Age Walls to Protect Children from Online Pornography

Also drawing on the Minsk 2017 supplementary item, the new decision focuses attention another technology-driven trafficking problem: children’s unrestricted access to online pornography, which is making children vulnerable to human trafficking. Specifically, the decision expresses “concern that children who access pornography on the Internet may become desensitized to it and more likely to become a victim of or perpetrate sexual exploitation,” and

⁷ OSCE Parliamentary Assembly, 26th Annual Session, Minsk Declaration, Resolution on Preventing Child Sexual Exploitation Online through Advances in Technology (July 2017) <http://www.oscepa.org/documents/all-documents/annual-sessions/2017-minsk/declaration-25/3555-declaration-minsk-eng/file>.

⁸ Elaine Chase and June Statham, “Commercial and Sexual Exploitation of Children and Young People in the UK—A Review,” *Child Abuse Review* (2005), Vol. 14-25, p. 12.

⁹ *Ibid.*

¹⁰ Morgan Winsor, *Facebook to hire 3,000 more workers to monitor content amid surge of violent videos*, ABC News, May 3, 2017, <http://abcnews.go.com/Technology/facebook-hire-3000-workers-monitor-content/story?id=47178969>.

“calls on participating States which have not already done so to promote the implementation of age verification technologies with a view to limit the access of children to pornographic websites.”

Traffickers and predators have long-used pornography to desensitize and groom children for abuse. Children’s unrestricted access to pornography on the Internet has only made their job easier. Children in most OSCE participating States have access to every imaginable form of pornography on the Internet. Their young minds are being shaped to believe that aggression and sexual violence are normal.

And the results are in. Last year, the *Journal of Interpersonal Violence* released a study conducted in Bulgaria, Cyprus, England, Italy, and Norway, which showed that teenage boys exposed to online pornography are significantly more likely to be sexually coercive.¹¹

A 2006 study in the *European Journal of Developmental Psychology* showed that adolescent girls who view pornography are more likely to report being victims of sexual harassment or forced sex at the hands of acquaintances.¹²

Another study out of the United Kingdom in 2012 by the journal of *Sexual Addiction and Compulsivity* suggested children’s undeveloped brains and lack of real world experience of intimate relationships make them particularly susceptible to being influenced by viewing pornography.¹³

Yet another study in the *Journal of Adolescence* in 2011 found that adolescent boys in Sweden who were frequent users of pornography were significantly more likely to have sold sex than other boys their age.¹⁴

The most troubling trend of all is the surge in child-on-child sexual assault. Children, especially adolescent boys on younger girls, are acting out the pornography they are seeing online.¹⁵

¹¹ Nicki Stanley, Christine Barter, Marsha Wood, Nadia Aghtaie, Cath Larkins, Alba Lanau, and Carolina Overlien, “Pornography, Sexual Coercion and Abuse and Sexting in Young People’s Intimate Relationships: A European Study,” *Journal of Interpersonal Violence* (2016) 1-26.

¹² Silvia Bonino, Silvia Ciairano, Emanuela Rabaglietti,, and Elena Cattelino, “Use of Pornography and Self-reported Engagement in Sexual Violence Among Adolescents,” *European Journal of Developmental Psychology* (2006), 3 (3) 265-288.

¹³ Eric Owens, Richard J. Behun, Jill C. Manning & Rory C. Reid, “The Impact of Internet Pornography on Adolescents: A Review of the Research,” *Sexual Addiction and Compulsivity: The Journal of Treatment & Prevention* (2012) 19:1-2, 99-122.

¹⁴ Carl Goran Svedin, Ingrid Akerman, Gisela Priebe, “Frequent Users of Pornography. A Population Based Epidemiological Study of Swedish Male Adolescents,” *Journal of Adolescence* (2011) 34 779-788.

¹⁵ Alice Ross, *Threefold Rise in Number of Sex Offences in Schools Reported to Police*, The Guardian, Aug. 7, 2016, <https://www.theguardian.com/society/2016/aug/08/sex-offences-in-schools-reported-to-police-trebles>; Claire Savage, *School Sex Crimes in UK Top 5,500 in 3 Years*, BBC, Sept. 6, 2015, <https://www.bbc.com/news/education-34138287>.

The United Kingdom, Finland, Germany, and Denmark have taken the lead in recognizing that children's unrestricted access to online pornography is a public health crisis.

An age wall should be required for pornography sites in all participating States. We have multiple forms of technology available that can ensure visitors to pornographic websites are 18 years of age or older. Some countries already do this for online gambling—why not for pornography when the stakes are so much higher? In fact, already existing gambling account numbers could be used for entry pornography websites for age verification.

In addition, the pornography industry itself has come up with AgeID accounts, which, like a gambling account number, would allow a user to create an account on the AgeID website, receive an account number, and use that number to pass the age wall on other websites.

Credit card numbers could also be used. In many participating States, individuals are not permitted to have credit cards until 18 years of age. Use of a credit card on the website, with a refundable deduction of \$1, has been suggested as a way to verify both age and card ownership.

Other companies are developing biometric applications, which would verify, but not store, the date of birth and photo on a passport. Additional new ways of verifying age with minimal information are also being developed.

With the binding 2017 Ministerial Decision, incorporating years of OSCE PA Supplementary Items, the foreign ministries of the 57 OSCE participating States stand united with the OSCE Parliamentary Assembly to protect children from trafficking and other sexual exploitation across the OSCE region.

I hope that each participating State will take quick and definitive steps to implement the 2017 Ministerial Decision. We must make the internet a place of accountability, not impunity or preparation, for human trafficking.

Frederick Douglass Act Poised to Pass Senate: Will Implement OSCE Supplementary Items OSCE Ministerial Decisions on Government Procurement and Tourism

On July 12th of last year, the House of Representatives adopted my latest trafficking legislation, The *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017*.¹⁶ It is in the final stages of negotiation as part of a large package of trafficking bills that will reauthorize more than \$155 million a year in U.S. government funds to prosecute traffickers, rescue and assist victims, and prevent human trafficking at home and abroad. The Frederick Douglass Act will be 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.

¹⁶ H.R. 2200, *The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017* (April 27, 2017) <https://www.congress.gov/115/bills/hr2200/BILLS-115hr2200rfs.pdf>.

I am happy to announce that the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017* will implement 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.¹⁷ These consensus documents call for anti-trafficking training in the transportation and hospitality industries,¹⁸ OSCE institutional commitment to procure goods and services from a companies with trafficking-free supply chains,¹⁹ 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.²⁰

Named in honor of the 200th birthday of slavery survivor and abolitionist Frederick Douglass, the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act* will for the first time create a U.S. government preference for government travel on airlines that have trained their flight attendants and pilots 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 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 in Kyiv in 2013 along with Nancy Rivard. Airline Ambassadors has also developed a smart phone application to make it easier for airline personnel to report human trafficking at U.S. airports.²¹ In addition, the U.S.

¹⁷Decision No. 1107, Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings (December 6, 2013) <http://www.osce.org/addendum?download=true>.

¹⁸ 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 enforcement coordination with transportation, hotel, and travel industry professionals in order to ensure appropriate intervention and referrals to care for suspected human trafficking victims.

¹⁹OSCE 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>.

²⁰ Ibid. Helsinki Declaration and Resolutions (July 2015).

²¹ Airline Ambassadors Human Trafficking Reporting Application: <http://airlineamb.org/2015/09/19/aais-new-tip-line-app/#.VstHTOZv669>.

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.²² Hundreds of victims have been rescued already, with the potential for thousands more.

The new *Frederick Douglass Act* will incentivize airline to undertake these trainings or risk losing government business. The same will be true for hotels, which are susceptible to being used by traffickers as temporary locations for sex trafficking. Specifically, the *Frederick Douglass Act* will provide a preference for hotels that:

- Have a zero-tolerance policy in place for the sexual exploitation of children within the hotel/hotel chain;
- Make training materials available to all employees to prevent child exploitation and trafficking;
- Train all employees on the identification of possible child exploitation and trafficking;
- Have procedures in place for employees to identify and report potential trafficking to the appropriate authorities;
- Have protections for employees who report suspected abuse according to the protocol identified in training; and
- Keep records of suspected child exploitation and trafficking cases reported by staff to management and to law enforcement.

Many U.S. and international hotel chains, such as Carlson, Accor Hotels, Wyndham, and Hilton Worldwide, have already taken decisive steps to ensure that their hotels are safe for all. A government traveler preference for hotels that have taken these steps will help change the industry standard and fight human trafficking.

Finally, the U.S. adopted a zero-tolerance policy for trafficking in U.S. government contracts and procurement more than 10 years ago. 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 to:

- 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;
- 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;

²² “Blue Lightning” Program, US Customs and Border Protection, Department of Homeland Security, <https://www.cbp.gov/border-security/human-trafficking/blue-lightning>.

- 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* calls for uniform and unified reporting from key U.S. government agencies on what steps they are taking to ensure the zero-tolerance laws are being implemented effectively. The new *Frederick Douglass Act* will help with implementation of the law by educating procurement officers in U.S. government agencies to apply all relevant U.S. law 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.²³ That same report will help inform our U.S. Customs and Border Protection officers of what 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;
- Ensuring vulnerable children and other at-risk populations are educated to avoid traffickers;
- Focusing grants for survivor care on housing for especially vulnerable groups, like 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 increasing prosecution of those who purchase commercial sex;
- Designating one prosecutor in each of the Department of Justice's focus districts (12) 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.

²³ U.S. Department of Labor, *Report on Child Labor and Forced Labor* (Sept. 30, 2016) <https://www.dol.gov/agencies/ilab/reports/child-labor>.

U.S. State Department Releases *Trafficking in Persons Report* for 2018: Europe Lagging Behind in Victim Identification, Losing Ground on Prosecutions and Convictions

The 2018 *Trafficking in Persons Report*²⁴ was released in June 28, 2018 by Secretary of State Michael Pompeo and Ms. Ivanka Trump, Special Advisor to the President of the United States. 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 189 countries, 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.

This year's report showed a 45 percent increase in trafficking victim identification worldwide in 2017 to 100,409—an all-time high for both sex and labor trafficking. However, while more labor trafficking victims were identified in Europe, overall victim identification in Europe dropped 4 percent.

With the current migrant crisis, it is more important than ever that OSCE participating States in Europe are informed and on the lookout for human trafficking victims. It is more important than ever that likely trafficking victims have care available for them when they are found. Unaccompanied minors, in particular, are vulnerable to trafficking and re-trafficking all along the migration routes.

Notably, prosecutions and convictions in Europe have been decreasing for two consecutive years. This year's report showed a 6% drop in overall prosecutions to 2,548 and a 24% drop in overall convictions to 1,257, despite a slight rise in labor trafficking convictions. Last year, 2017, was also the first year since the Report began keeping record that Europe did not produce new or amended trafficking legislation.

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

²⁴ U.S. Department of State, *2018 Trafficking in Persons Report* (June 2018) <https://www.state.gov/j/tip/rls/tiprpt/2018/index.htm>.

functions to ensure their full implementation. We must reverse these downward trends. Lives depend on it.

Participating States Making Measurable Progress: Estonia, Cyprus, Serbia, Bulgaria, Moldova, Uzbekistan

Six OSCE participating States made significant progress last year. Estonia joined Tier 1, the highest ranking, as it began implementing the *Victim Support Act*, which allows “victims to receive services without first requiring cooperation with law enforcement,” including for “presumed victims who chose not to participate in the criminal proceedings.”²⁵ In addition, Estonia achieved the minimum standards for eliminating trafficking by criminalizing the knowing procurement of commercial sex from trafficking victims.

The Republic Cyprus also achieved Tier 1 status in 2017 as Cyprus increased its convictions of traffickers and also increased victim protection efforts by improving the quality of services, adding resources for NGOs, and “holding monthly trainings for government-run shelter staff.”²⁶

The Government of Serbia was able to increase their tier ranking to Tier 2 in 2017 by “consolidating the jurisdiction for trafficking crimes under one authority to improve investigations, and by creating a stand-alone Office of the National Coordinator that effectively elevated the national trafficking coordinator to a full-time position.”²⁷ In addition, the Government of Serbia also developed a national anti-trafficking plan, funded the plan, and mandated a national anti-trafficking council to meet twice a year for the coordination of anti-trafficking efforts.

The Government of Bulgaria also raised its tier ranking to Tier 2 by “allocating more funding for victim services and opening two new facilities in Sofia for trafficking victims, including a crisis center for child victims.”²⁸ In addition, Bulgarian authorities identified more victims, especially labor trafficking victims, and convicted more traffickers than in 2016. The Government of Bulgaria also approved a five-year national anti-trafficking strategy for 2017-2021.

The Government of Moldova increased its tier ranking, as well, moving up to Tier 2 for “investigating and prosecuting more suspected traffickers, including complicit officials, and increasing budgets for victim protection.”²⁹

Finally, Uzbekistan moved from Tier 3 to the Tier 2 Watch List for its “substantive actions towards ending the use of forced adult labor during the annual cotton harvest by increasing remuneration to pickers and cotton procurement prices; demobilizing

²⁵ Ibid at 24, TIP Report p. 180.

²⁶ Ibid, p. 159.

²⁷ Ibid, p. 374.

²⁸ Ibid, p. 112.

²⁹ Ibid, p. 305.

students...allowing full unimpeded access to international third-party monitors; and engaging in dialogue with activists and treating them in a more human manner.”³⁰

Participating States Losing Ground in the Fight Against Trafficking: Ireland, Armenia, Bosnia and Herzegovina, Kyrgyz Republic, Tajikistan, and Mongolia

The fight against trafficking in persons requires constant vigilance. The Government of Ireland was downgraded to Tier 2 for the first time in 9 years as its anti-trafficking efforts began to slow compared to its previous efforts. Despite passing a new trafficking law in 2013, the Government of Ireland has not obtained a trafficking conviction and it initiated only 3 prosecutions in 2017. The Government of Ireland also “had chronic deficiencies in victim identification and referral.”³¹

The Government of Armenia, like Ireland with a long-time standing on Tier 1, was also downgraded to Tier 2 for its record in 2017. The Government of Armenia did not:

proactively identify victims or conduct proactive investigations and relied on victims to self-identify; the number of victims identified decreased compared to the previous reporting period. Authorities dropped most cases categorized as trafficking by local police due to a lack of evidence and first responders did not use uniform indicators to screen vulnerable populations. Investigators repeatedly interrogated victims, including children, and victims always appeared in front of their traffickers in court; risking re-traumatization. International organizations reported cases of child labor and child abuse in state childcare institutions, and noted the institutions lacked measures to prevent the exploitation of children. The government continued to suspend the majority of labor inspectorate functions, hindering regular inspections that had the potential to identify forced labor; no labor inspections were conducted during the reporting period.³²

After three years on Tier 2, the Government of Bosnia and Herzegovina was downgraded to the Tier 2 Watch List as, despite progress on identifying more forced begging victims and granting the victims compensation from their traffickers, the government failed to properly identify trafficking victims and had a pattern of penalizing “victims for unlawful acts committed as a direct result of being subjected to trafficking.”³³ Law enforcement and social workers justified as traditional practices the forced labor, forced marriage, and child begging involving Roma children. The government also lack victim protection, such as victim-centered prosecution practices and victim care.

While the Government of The Kyrgyz Republic made some progress on adopting a new national action plan and piloting victim identification criteria, it did not “investigate credible reports of serious and endemic corruption that contributed to trafficking or official complicity in

³⁰ Ibid, p. 450.

³¹ Ibid, p. 235.

³² Ibid, p. 76.

³³ Ibid, p. 104.

detaining and exploiting victims.”³⁴ The Government of the Kyrgyz Republic did not report that it prosecuted any traffickers in 2017. It also did not allocate additional funding for implementation of its national action plan and undertook only limited victim identification efforts, resulting in a Tier 2 Watch List designation.

Unfortunately, the Government of Tajikistan also moved down to the Tier 2 Watch List. Despite taking some positive steps to establish a police unit for investigating trafficking crimes, investigating labor recruitment firms that may be exploiting migrants, and establishing a trafficking hotline, the government did not implement its desperately needed victim protection law for the third year in a row. Officials were left without victim identification and referral procedures. “Endemic corruption contributed to the transport of victims across borders, yet the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.”³⁵ In addition, there were continued reports that children and adults were being forced into the cotton harvest.

After many years as a Tier 2 country, Mongolia was also downgraded in this year’s Report to Tier 2 Watch List. Tragically, Mongolia’s new criminal code has resulted in the detention and charging of trafficking victims, including underage girls. The new criminal code also prevents trafficking victims from “seeking shelter or care until prosecutors initiated cases against their alleged traffickers.”³⁶ Prosecutors also dismissed 26 ongoing trafficking cases, rather than reassessing them, when the new criminal code came into effect. The Government of Mongolia decreased the number of new prosecutions for trafficking and did not secure any trafficking convictions in 2017.

Lithuania: Concerns about Inconsistent Accountability for Child Trafficking

Even Tier 1 countries must be careful to be vigilant. This year’s Report 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.”³⁷ The Report also relays instances where traffickers were convicted, but, rather than being sent to jail for appropriate sentences, were fined or received suspended jail sentences. The most concerning case involves the director of an orphanage who was convicted for operating a sex trafficking ring inside the orphanage, “offering young boys to pedophiles.”³⁸ Although 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.

³⁴ Ibid, p. 263.

³⁵ Ibid, p. 409.

³⁶ Ibid, p. 308.

³⁷ Ibid, p. 276.

³⁸ Ibid, p. 276.

I am also very concerned that Lithuania continues to pursue the case of 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 ensuing 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 physical return of the little girl to her alleged trafficker.

I have introduced a private bill, H.R. 6218, *The Give Judge Venckiene Her Day in Court Act*,³⁹ in the United States 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.

Preventing Human Trafficking in Migrant and Refugees Flows in the United States

Europe, and to a lesser degree, the United States, have similar challenges of addressing the care of children—especially unaccompanied and separated children—in unprecedented refugee and migrant flows. Our systems of management and processing are completely beyond capacity—and yet precious young lives hang in the balance.

In previous annual reports I have addressed migrant and refugees flows in Europe. This year I would like to speak to the situation in the United States. Since 2013, the United States has admitted and released into the United States more than half a million unaccompanied minors and family units from Central America that entered the United States illegally. The Department of Homeland Security reports that over the last 10 years, asylum claims have increased by 1,700 percent, leading to a backlog of more than 600,000 cases in U.S. courts. Moreover, since June 2017, there has been a 325 percent increase in unaccompanied minors entering the United States illegally and a 435 percent increase in family units entering the country illegally.⁴⁰

³⁹ H.R. 6218, *The Give Judge Venckiene Her Day in Court Act* (June 25, 2018) <https://www.congress.gov/115/bills/hr6218/BILLS-115hr6218ih.pdf>.

⁴⁰ Secretary Nielsen's Remarks on the Illegal Immigration Crisis, U.S. Department of Homeland Security (6/18/2018) <https://www.dhs.gov/news/2018/06/18/dhs-secretary-nielsens-remarks-illegal-immigration-crisis>.

For a few months of this year, as a misguided deterrent to illegal entry, the United States began charging with immigration crimes all parents who entered the U.S. illegally. As a court settlement (Flores) from 1997 was interpreted by a judge in 2016 to prevent migrant children from being detained even with a parent, the Administration began separating children from their parents and transferring the children to child welfare services.

Separating children from their parents not only devastates children emotionally, perhaps causing life-long emotional scars, but also leaves the children without the protection of a parent—protection that is so critical to preventing that child from becoming a victim human trafficking. While public outcry in the United States has stopped most new separations for the present time, it is unclear when and how the more than 2,000 separated children will be reunited with their parents.

The U.S. Congress is considering dozens of bills to address the situation and increase the capacity of our court system to process immigration-related claims more efficiently. In addition, the Flores Agreement is being relitigated. Some migrants are arguing that they should be allowed to determine whether their children stay with them in detention or go to foster care and U.S. courts have been receptive.⁴¹ The Administration is also looking at ways to ensure that those claiming to be family members are not in fact traffickers. In 2018, we have seen a 314 percent increase in adults and children arriving at the border, claiming to be a family unit when they are not.⁴²

In addition, the U.S. Congress is also conducting oversight of the Department of Health and Human Services (HHS) as well as the Department of Homeland Security (DHS) to address the safety and whereabouts of 1,475 (of 7,635) unaccompanied children whose sponsors did not respond to a welfare phone call from HHS at the end of last year.⁴³ While HHS does conduct background checks on prospective sponsors, HHS does not require that the prospective sponsor have legal status in the United States. It may be the case that the sponsors without legal status did not feel safe responding to a welfare phone call from the U.S. government. Or it may be the case that the child is in a situation of distress. In 2016, Congress found evidence of unaccompanied minors who had in fact been trafficked to work in agriculture.⁴⁴

The U.S. Congress is currently conducting oversight hearings and awaiting a joint plan from HHS and DHS on better coordination and responsibility-sharing for the welfare and safety of unaccompanied minors. Congress is also considering adaptations to the law, as interpreted by

⁴¹Alison Frankel, *Migrants' lawyers to Flores judge: Parents have right to decide kids' fate*, Reuters, July 2, 2018, <https://www.reuters.com/article/legal-us-otc-flores/migrants-lawyers-to-flores-judge-parents-have-right-to-decide-kids-fate-idUSKBN1JS2JX>.

⁴²Ibid Secretary Nielsen's Remarks.

⁴³Amy B. Wang, *The U.S. Lost Track of 1,745 Children Last Year. Here is Why People are Outraged Now*. Washington Post, May 29, 2018, https://www.washingtonpost.com/news/post-nation/wp/2018/05/27/the-u-s-lost-track-of-1500-immigrant-children-last-year-heres-why-people-are-outraged-now/?utm_term=.d4c92b04a1af.

⁴⁴Abbie VanSickle, *Overwhelmed Federal Officials Release Immigrant Teens to Human Traffickers in 2014*, Washington Post, Jan. 26, 2016, https://www.washingtonpost.com/national/failures-in-handling-unaccompanied-migrant-minors-have-led-to-trafficking/2016/01/26/c47de164-c138-11e5-9443-7074c3645405_story.html?utm_term=.25c16fff59e7.

the courts in the 1997 Flores Settlement, which prevents a parent from keeping a child with them if the parent is detained.

Briefings and Hearings

In May, I hosted a Helsinki Commission briefing on Capitol Hill entitled, “Fighting Human Trafficking in Travel and Tourism: New Challenges and Solutions,”⁴⁵ in order to bring together government, business, and NGOs for a discussion of effective strategies. Tracey Breeden, Director of Safety Communications at Uber, explained the challenges of the on-demand market, especially one that is providing 15 million rides a day around the world. To Uber’s credit, Uber began partnering with ECPAT USA in 2015, adopting a zero-tolerance anti-trafficking policy for their ride-share platform. In consultation with ECPAT, Thorn, Polaris, the National Center on Missing and Exploited Children, and others, Uber has launched driver education and protocols for reporting suspected trafficking, whether it be calling law enforcement directly, or reaching out to the national human trafficking hotline. Uber has doubled down on educational efforts surrounding major sporting events, and is using its platform to educate riders as well as drivers, sending out trafficking facts.

Nick Shapiro, Global Head of Trust and Risk Management at AirBnB, shared AirBnB’s efforts to prevent their 15 million listings in 191 countries from being used for human trafficking. He explained their strategy, which included partnerships with NGOs, education and awareness outreach, coordination with law enforcement, and high tech screening of hosts and guests. Mr. Shapiro explained:

We sit at the intersection of technology, travel, and hospitality. We have some of the brightest minds in Silicon Valley. Every single reservation on Airbnb is scored ahead of time for risk. So we use machine learning, behavioral analysis, predictive analytics, instantly evaluating hundreds of different signals, looking to see if there is anything suspicious about a reservation so we can stop suspicious behavior before it actually takes place.

AirBnB also uses its technological advantage to scan the Dark Web for people and information related to any of its listings.

Nancy Rivard, Founder and President of NGO Airline Ambassadors, who first brought the issue of trafficking on airlines to my attention 10 years ago, explained her work around the world training airport personnel and sharing stories of rescue. Airline Ambassadors just completed their 70th training. Mick McKeown, the Blue Campaign Executive Director at the Department of Homeland Security shared that the Blue Campaign “Blue Lightning” program has trained more than 70,000 airline personnel in the United States to identify potential human trafficking in airports and on flights.

⁴⁵Fighting Human Trafficking in Travel and Tourism: New Challenges and Solutions, Helsinki Commission (May 7, 2018) <https://www.csce.gov/international-impact/events/fighting-human-trafficking-travel-and-tourism-new-challenges-solutions>

Carol Smolenski, Executive Director the NGO ECPAT-USA, drew on her more than 27 years of anti-trafficking efforts to tell of the transformation we have seen in the hotel and lodging industry with the advent and implementation of the Tourism Child-Protection Code, or simply, “The Code”.⁴⁶ As Carol explained,

The Code is a set of six voluntary steps that companies can take to protect children from sexual exploitation. Carlson Companies, the company that owned Radisson and other brands, was the partner right from the start, back in 2004. It took several years to get more companies to be willing to pitch in. I’m proud to say that in 2011 Wyndham and Hilton both signed the Code of Conduct, and today every large U.S. hotel chain has signed The Code. Besides the companies I mentioned above, Marriott, Choice, and Hyatt. These are six of the 10 largest hotel companies in the world.

Craig Kalkut, Vice President of Government Affairs of the American Hotel and Lodging Association, shared how awareness of the human trafficking inspires hotels to have their employees trained. Among the member hotels of his organization, more than 450,000 employees have been trained in the last few years. In addition, the American Hotel and Lodging Association has worked with the larger hotels and NGOs to develop a training as well as general guidelines, and then make these available to smaller member hotels. It is an excellent example of businesses voluntarily taking responsibility to fight human trafficking.

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. In June, I held a hearing entitled “A Bad Year for Human Rights in Vietnam,”⁴⁷ in which I heard from Dr. Nguyen Ding Thang, Executive Director of Boat People SOS, about the effects of the Formosa Steel Plant chemical spill in 2016. The ecological disaster has destroyed fishing in one of the most populace areas of Vietnam and the fishermen have been forced to join the Government of Vietnam’s work-export program. Many fishermen are reportedly falling prey to debt bondage as they are charged exorbitant “service fees” to work abroad. Over the years, Dr. Thang’s organization has rescued thousands of Vietnamese who have fallen into trafficking through the Government of Vietnam’s work-export program—including workers sent to companies in OSCE participating States region. I am very concerned that the United States condition normal relations with Vietnam on human rights criteria—including improvements in human trafficking—and have introduced H.R. 5621, the *Vietnam Human Rights Act*, to that end.⁴⁸

Tragically, UN peacekeepers sent abroad to protect local populations from war are still sexually exploiting those populations, too often with impunity. In November, I chaired a hearing

⁴⁶ ECPAT USA, Tourism and Child Protection Code of Conduct, <https://www.ecpatusa.org/code/>.

⁴⁷ “A Bad Year for Human Rights in Vietnam,” House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights and International Organizations (June 7, 2018)

<https://foreignaffairs.house.gov/hearing/subcommittee-hearing-a-bad-year-for-human-rights-in-vietnam/>

⁴⁸ H.R. 5621, *Vietnam Human Rights Act* (April 2018), <https://www.congress.gov/115/bills/hr2200/BILLS-115hr2200rfs.pdf>.

in my Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations entitled, “Resolving the Political Crisis in the Democratic Republic of the Congo,”⁴⁹ where I examined with expert witnesses why sexual exploitation by peacekeepers has been so intractable in the Democratic Republic of the Congo. Ms. Ida Sawyer, the Central Africa Director of Human Rights Watch who lived in Goma and Kinshasa between 2008 and when she was barred from the country in 2016, explained the critical role played by countries—including countries from the OSCE region—which contribute UN Peacekeepers and have the ultimate responsibility to hold the peacekeepers accountable:

In terms of the zero-tolerance policy for trafficking and sexual exploitation and abuse, I think we have seen some improvements in recent years in trying to address these issues more quickly and more effectively, but there, again, much more can be done. And a lot of that is also with the—at the host, the troop contributing countries. So back home, these troops need to be held accountable and there often isn’t follow-up. And the U.N. can do their investigation in Congo, but back in the capital from where these troops come from, there often isn’t enough follow-up to ensure that they are actually held accountable in a court of law. So more could be done there.

I encourage each participating State to take to heart their responsibility in ensuring accountability for their citizens who are UN Peacekeepers and who are sent to protect vulnerable populations—not exploit them.

In December, I chaired a hearing in my subcommittee to examine the horrific situation of North Korean refugees who are trafficked in China. Entitled, “Protecting North Korean Refugees,”⁵⁰ the hearing explored the sex and labor trafficking of North Koreans desperate to leave their country. The hearing also explored the complicity of Chinese officials and businesses. Russia, too, is involved in collaborating with North Korea’s government for trafficked labor in Russia. Any of our countries that import goods from China or Russia may be inadvertently fueling the trafficking of North Korean refugees. Ms. Hyeona Ji, North Korean Defector and Co-chairperson of the Worldwide Coalition to Stop Genocide in North Korea, testified eloquently that:

North Korean defector women are not commodity. They are not material goods. They are human beings. And the fact that the Chinese Government officials—security officials—are—some of them are being involved with this is something that the international community should not forget or forgive.

⁴⁹ “Resolving the Political Crisis in the Democratic Republic of the Congo,” House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights and International Organizations (November 9, 2017) <http://docs.house.gov/meetings/FA/FA16/20171109/106613/HHRG-115-FA16-Transcript-20171109.pdf>.

⁵⁰ “Protecting North Korean Refugees,” House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights and International Organizations (December 12, 2017) <http://docs.house.gov/meetings/FA/FA16/20171212/106723/HHRG-115-FA16-Transcript-20171212.pdf>.

I have urged the U.S. Administration to sanction China for its trafficking and abuse of North Korean refugees. I urge each participating State to consider how it might avoid importing the goods made in Russia or China by North Korean trafficking victims.

Conclusion

Although the 2018 Trafficking in Person's Report numbers show flagging efforts to fight trafficking in Europe, the successful adoption of two Ministerial Decisions on human trafficking in the OSCE demonstrates that anti-trafficking efforts achieve agreement and cooperation. Let us encourage and help each other to continue the fight with all urgency, keeping at the forefront the commitments made in the Ministerial Decisions just months ago. OSCE anti-trafficking best practices, many of them created right here in the Parliamentary Assembly, offer each participating State a map to success—especially when, as my Supplementary Item underscores, anti-trafficking efforts are employed simultaneously by a community, with a focus on demand reduction.

We move forward into 2018 with a strong mandate as legislators to do the hard work in our own states of implementing the best practices contained in the Ministerial Decisions — registries, law enforcement coordination, age walls on pornography websites, accountability for online advertising of victims, and extra-territorial jurisdiction—even as we continue to work on implementation and oversight of work already begun. I hope that each of you will join me in this effort until we have filled every corner of the OSCE with trafficking-free communities so that there is no place for traffickers to hide and no place for victims to be unprotected.