

*Report on Human Trafficking Issues
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by

Rep. Christopher H. Smith, U.S.A.

Special Representative on Human Trafficking Issues

for the OSCE Parliamentary Assembly

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

High Level Meetings

Human trafficking happens in each of our States, befalling our own citizens as well as recent immigrants seeking a better life—and those who were brought into our States specifically for the purpose of human trafficking. Preventing and solving these crimes requires cooperation across the region, and, increasingly, across the globe. Our trafficking challenges are inextricably bound together through migration, tourism, trade, and supply chains. Over the last year, I have made it a point to raise human trafficking concerns and best practices with heads of state, foreign ministers, numerous parliamentarians, and official delegations.

For instance, I discussed human trafficking with the Secretary General of the United Nations António Guterres, particularly as trafficking is a perennial issue with UN peacekeeping forces. Over the summer, I traveled to Ethiopia, where I met with the head of Ethiopia's National Defense Force, General Saere Mekonen, who welcomed international military education and training for his 12,000 Ethiopian troops deployed with the United Nations or African Union. This training could not only prevent trafficking, it will help the troops fight it.

I had the privilege of discussing the prevention and amelioration of human trafficking with Poland's Minister for National Defense, Mariusz Blaszczak and Chief of the Chancellery for the Prime Minister of Poland, Beata Kempa; as well as the Assistant Foreign Minister for Human Rights and International Humanitarian and Social Affairs, Ahmed Ihab Gamal El Din. The Ambassadors to the United States from Ireland, Tajikistan, Guatemala, and Thailand were also open to additional collaboration to fight human trafficking.

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

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

The fight against human trafficking has been a consistent area of agreement and progress within the OSCE institutions. In an effort to coordinate anti-trafficking work among OSCE institutions, I also met with OSCE Secretary General Thomas Greminger, OSCE PA President George Tsereteli, and OSCE PA Secretary General Roberto Montella.

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

raised trafficking with Cardinal Orlando B. Quevedo of the Philippines; Archbishop Marcel Utembi of the Democratic Republic of Congo; Archbishop Bashar Warda of Erbil, Kurdistan, Iraq; Bishop Abraham Desta Apostolic Vicariate of Meki, Ethiopia; and a delegation of bishops from El Salvador.

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

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

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

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

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

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

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

³ OSCE Parliamentary Assembly, 22nd Annual Session, Istanbul Declaration and Resolutions, Resolution on Trafficking Victim Watchfulness: Planes, Trains, Buses, and Hotels, (June 29 – July 3, 2013) <https://www.oscepa.org/meetings/annual-sessions/2013-istanbul-annual-session/2013-istanbul-final-declaration/1645-08>. My supplementary item on this topic, “Trafficking Victim Watchfulness: Planes, Trains, Buses, and Hotels,” was adopted at the 2013 OSCE PA Annual Session in Istanbul. The supplementary item calls on

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

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

Experts estimate that 600,000 to 800,000 trafficking victims are moved across international borders each year, often on commercial airplanes, trains, and buses where they come into contact with transportation professionals. Traffickers can be stopped and victims can be rescued through highly effective, low-cost training of flight attendants and other airport personnel, such as that developed by Nancy Rivard, president of Airline Ambassadors International, and the U.S. Department of Homeland Security. Airline Ambassadors has also developed a smart phone application to make it easier for airline personnel to report human trafficking at U.S. airports.⁶ In addition, the U.S. Department of Homeland Security has a training called “Blue Lightning” available for U.S. carriers, which has already been used to train 70,000 airport employees in the United States.⁷ Hundreds of victims have been rescued already, with the potential for thousands more. The new *Frederick Douglass Act* incentivizes airlines to undertake these trainings or risk losing government business.

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

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.

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

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

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

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

- 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;
- Charge recruited employees unreasonable placement or recruitment fees, or any such fee that violates the laws of the country from which an employee is recruited.

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

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

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

- Preventing abuse of domestic servants in embassies and diplomatic households in the United States by blocking visas for offending countries;
- Focusing grants for survivor care on housing for especially vulnerable groups, 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 providing better oversight of 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*;

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

- 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.

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

At the Annual Session in Berlin, the OSCE PA adopted my supplementary item, “Implementing Trafficking-Free Communities,”⁹ which underscored how previous OSCE commitments, when employed simultaneously and in conjunction with new best practices, are effective in reducing trafficking in a given community.

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

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

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

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

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

My supplementary item also reiterated the importance of ending virtual slave markets online by holding website owners criminally accountable. Until April of 2018, Americans could go online to websites like Backpage.com and buy escorts, many of whom were underage girls

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

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 these virtual slave markets.

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

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

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

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

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

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

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

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

All participating States should be receiving such alerts from the United States Angel Watch Program—nearly 7,000 have gone out to more than 100 countries in the last 3 years. In more than 3,440 instances, States have decided that the traveler was too dangerous to be let into the country.

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

Last but not least, the OSCE Office of the Special Representative and Coordinator to Combat Trafficking has been doing great work to develop guidance for businesses on how to prevent trafficking in their supply chains and to avoid putting money into the hands of labor traffickers. My 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, more than 25 million adults and children are enslaved at any given time. Of these victims, the ILO estimates that 58% of forced labor victims and 99% of sex trafficking victims are women and girls. One in four victims of modern slavery are children.

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 the best practices simultaneously, creating whole communities where there are no places for traffickers to hide—and no places where a trafficking victim is unprotected.

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

This year’s Trafficking in Persons Report¹⁰ 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.”¹¹ 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

¹⁰ U.S. Department of State, *2018 Trafficking in Persons Report* (June 2018) <https://www.state.gov/j/tip/rls/tiprpt/2018/index.htm>

¹¹ *Ibid*, p. 276.

young boys to pedophiles.”¹² 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.

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

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

I have introduced a private bill, H.R. 1107, *The Give Judge Venckiene Her Day in Court Act*,¹³ so that Judge Venckiene can finish her political asylum process in the United States and so that her side of the story can be heard in a U.S. court before any return decision is made.

Examining the Nexus Between Human Trafficking and Substance Abuse

In January, I participated in an event in my home state of New Jersey that brought to light the growing nexus between human trafficking and substance abuse in the United States. Just two months ago, Dominic Roach of Camden, New Jersey, received a long prison term for forcing two drug-addicted women into prostitution and taking the money they collected.¹⁴ He kept the victims compliant and reliant on him by bringing them drugs.

¹² Ibid, p. 276.

¹³ H.R. 1107, *The Give Judge Venckiene Her Day in Court Act* (February 7, 2019) <https://www.congress.gov/116/bills/hr1107/BILLS-116hr1107ih.pdf>.

¹⁴ Jeff Goldman, *N.J. Man Involved in ‘Modern Day Slavery’ Gets up to 36 Years in Prison*, NJ.com (Nov. 28, 2018) <https://www.nj.com/news/2018/11/nj-man-involved-in-modern-day-slavery-gets-up-to-36-years-in-prison.html>.

We know from research that many victims of human trafficking come from unstable homes and are more likely to have grown up with at least one parent addicted to drugs or alcohol—one study conducted in Chicago puts the number at 83%.¹⁵

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

According to a study by D.M. Hughes of the University of Rhode Island (2005), more than 70 percent of trafficking victims reported using substances.¹⁶

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

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

The 2018 *Trafficking in Persons Report*¹⁷ 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.

¹⁵ Jessica Reichert, Illinois Criminal Justice Information Authority, National Survey of Residential Programs for Victims of Sex Trafficking (October 2013) http://www.icjia.state.il.us/assets/pdf/ResearchReports/NSRHVST_101813.pdf, citing O'Leary, C., & Howard, O., The prostitution of women and girls in metropolitan Chicago: A preliminary prevalence report (2001) Chicago, IL: Center for Impact Research.

¹⁶ Jessica Reichert, Illinois Criminal Justice Information Authority, National Survey of Residential Programs for Victims of Sex Trafficking (October 2013) http://www.icjia.state.il.us/assets/pdf/ResearchReports/NSRHVST_101813.pdf citing Hughes, D.M., Fact sheet: Domestic sex trafficking and prostitution in the United States (2005) Kingston, RI: University of Rhode Island. <http://fd.valenciacollege.edu/file/nroyer/domestic%20sex%20trafficking%20stats.doc>.

¹⁷ U.S. Department of State, *2018 Trafficking in Persons Report* (June 2018) <https://www.state.gov/j/tip/rls/tiprpt/2018/index.htm>.

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 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.”¹⁸ 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.”¹⁹

¹⁸ Ibid at 24, TIP Report p. 180.

¹⁹ Ibid, p. 159.

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.”²⁰ 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.”²¹ 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.”²²

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 students...allowing full unimpeded access to international third-party monitors; and engaging in dialogue with activists and treating them in a more human manner.”²³

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.”²⁴

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,” which may have been the reason “the number of victims identified decreased compared to the previous reporting period.” Alarming, authorities did not prosecute most cases categorized as trafficking

²⁰ Ibid, p. 374.

²¹ Ibid, p. 112.

²² Ibid, p. 305.

²³ Ibid, p. 450.

²⁴ Ibid, p. 235.

by local police because of a lack of evidence. Potentially compounding trauma, investigators repeatedly interrogated victims, including children, and victims always appeared in front of their traffickers in court. In addition, international organizations reported cases of child labor and child abuse in state childcare institutions, noting that the institutions lacked safeguards. The government hindered regular labor inspections that had the potential to identify forced labor; no labor inspections were conducted during the reporting period. First responders did not use uniform indicators to screen vulnerable populations.²⁵

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.”²⁶ 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 detaining and exploiting victims.”²⁷ 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.”²⁸ 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.”²⁹ Prosecutors also dismissed 26 ongoing trafficking cases, rather than

²⁵ Ibid, p. 76.

²⁶ Ibid, p. 104.

²⁷ Ibid, p. 263.

²⁸ Ibid, p. 409.

²⁹ Ibid, p. 308.

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.

Helsinki Commission Briefing: Fighting Human Trafficking in Travel and Tourism

In May, I hosted a Helsinki Commission briefing on Capitol Hill entitled, “Fighting Human Trafficking in Travel and Tourism: New Challenges and Solutions,”³⁰ 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

³⁰Fighting 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>

trained more than 70,000 airline personnel in the United States to identify potential human trafficking in airports and on flights.

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”.³¹ 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.

Hearings

In my Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, I held multiple hearings over the last year that addressed various aspects of human trafficking. In June, I held a hearing entitled “A Bad Year for Human Rights in Vietnam,”³² 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 populous areas of Vietnam and 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 fell 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 has failed to place sufficient human rights conditions on relations with Vietnam—

³¹ ECPAT USA, Tourism and Child Protection Code of Conduct, <https://www.ecpatusa.org/code/>.

³² “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/>

including improvements in human trafficking. Consequently, I introduced H.R. 5621, the *Vietnam Human Rights Act*.³³

Tragically, UN peacekeepers sent abroad to protect local populations from war are still sexually exploiting those populations, too often with impunity. In September, I chaired a hearing in my Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations entitled, “Reviewing Current Developments in Ethiopia,”³⁴ which discussed how the United States and international community could help Ethiopia, a Tier 2 country that supplies more peacekeeping troops than any other country, to become an anti-trafficking force in the region. When I visited the region over the summer, I met with the head of Ethiopia's National Defense Force, General Saere Mekonen, and discussed how the United States could engage helpfully with Ethiopia on human trafficking, perhaps incorporating anti-trafficking education into IMET. Ethiopia is also a source country for trafficking victims, and the hearing covered ways to prevent victimization of women and girls in particular—such as economic development in impoverished villages.

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

Conclusion

Although the 2018 Trafficking in Person’s Report numbers show flagging efforts to fight trafficking in Europe, OSCE anti-trafficking best practices—many of them created right here in the Parliamentary Assembly—offer each participating State a map to success.

As I saw this year with the passage of the Frederick Douglass Reauthorization Act, legislative implementation of the best practices developed in the OSCE are within reach. I hope that each delegation will take best practices from Ministerial Decision 7/17³⁵ or recent OSCE PA resolutions and turn them into legislation this year. Please join me in this effort until we have filled every corner of the OSCE with trafficking-free communities.

³³ H.R. 5621, *Vietnam Human Rights Act* (April 2018), <https://www.congress.gov/115/bills/hr2200/BILLS-115hr2200rfs.pdf>.

³⁴ “Reviewing Current Developments in Ethiopia,” House Foreign Affairs Committee, Subcommittee on Africa, Global Health, Global Human Rights and International Organizations (September 12, 2018) <https://docs.house.gov/meetings/FA/FA16/20180912/108670/HHRG-115-FA16-Transcript-20180912.pdf>.

³⁵ “Strengthening Efforts to Combat All Forms of Child Trafficking, Including for Exploitation, as well as Other Forms of Sexual Exploitation of Children,” OSCE Ministerial Decision 7/17 (December 8, 2017) <https://www.osce.org/chairmanship/362016?download=true>.