

*Report on Human Trafficking Issues  
to the 2020 Winter Meeting  
of the OSCE Parliamentary Assembly*

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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 2019 Winter Meeting as the Special Representative on Human Trafficking Issues for the OSCE PA.

## **High Level Meetings and Speaking Events**

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

For instance, I had the privilege of discussing the prevention and amelioration of human trafficking with Ambassadors to the United States and representatives from Ireland, Tajikistan, Guatemala, El Salvador, and Thailand, who were open to additional collaboration to fight human trafficking. I also discussed best practices with parliamentary representatives from Canada and Germany, as members of parliament are key to writing or refining trafficking laws in their own countries.

I have prioritized reaching out to the U.S. Administration regarding trafficking policy and have met throughout the year with agency heads responsible for it, including U.S. Agency For International Development Administrator Mark Green, U.S. Ambassador-at-Large to Monitor and Combat Trafficking in Persons John Richmond, and Director of the Office on Trafficking in Persons at the U.S. Department of Health and Human Services (HHS) Katherine Chon. I also met with Secretary of Education Betsy DeVos to discuss implementation of the education provisions of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act.

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 Bishop Álvaro Ramazzini of Guatemala, Indian Bishop Joseph D'Souza, Secretary General of the International Catholic Migration Commission Monsignor Robert Vitillo, and Father Bayhi of Louisiana.

Nongovernmental organizations are also crucial to preventing and responding to human trafficking, and I met with Mr. Robert Benz of the Frederick Douglas Family Initiative and Mr. Bill Woolf, Executive Director of Just Ask to discuss implementation of programs to educate schoolchildren to avoid trafficking situations.

On September 18, 2019, I gave remarks at the National Roundtable on Safeguarding Children and Prevention Education, cohosted by the State Department's Trafficking in Persons Office, HHS' Office of Trafficking in Persons, and the McCain Institute.

On November 24, I spoke at the annual conference of the Prosecutors Association of New Jersey. I discussed how far we have come in the twenty years since the Trafficking Victims' Protection Act (TVPA) became U.S. law, highlighting for the gathered prosecutors that the Act included a number of criminal code reforms, including treating a person who had been trafficked as a victim and not a perpetrator of a crime, and authorized the creation of new anti-human trafficking task forces, of which there are today 57 throughout the United States. I stressed the importance today of further prioritizing combatting human trafficking, including and especially through effective prosecution.

On January 31, I joined President Trump, Vice President Mike Pence, Advisor to the President Ivanka Trump, Attorney General William Barr, and other congressional and State Department officials at the White House for an event marking the 20th anniversary of the enactment of the Trafficking and Violence Protection Act. President Trump took the occasion, citing his authority under the TVPA, to sign an Executive Order entitled Combating Human Trafficking And Online Child Exploitation In The United States that declared "it shall be the policy of the executive branch to prioritize its resources to vigorously prosecute offenders, to assist victims, and to provide prevention education to combat human trafficking and online sexual exploitation of children." Also attending were U.S. Ambassador-at-Large and head of the Office to Monitor and Combat Trafficking in Persons John Richmond, as well as U.S. Ambassador-at-Large for International Religious Freedom Sam Brownback.

### **Frederick Douglass Trafficking Victims Prevention and Protection Act: Implementing OSCE Supplementary Items and OSCE Ministerial Decisions on Government Procurement and Tourism**

My *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act*<sup>1</sup> has been in effect for just over a year. The law, part of a \$920 million anti-trafficking package, authorized a total of \$430 million over four years to prosecute traffickers, rescue and assist victims, and prevent human trafficking at home and abroad. Named in honor of the 200<sup>th</sup> birthday of slavery survivor and abolitionist Frederick Douglass, the *Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act* also authorized 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;

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<sup>1</sup> 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>

- provide age-appropriate information to students on how to avoid becoming victims of sex and labor trafficking.

The Act also implements numerous supplementary items adopted by the OSCE Parliamentary Assembly as well as the 2013 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings.<sup>2</sup> These consensus documents call for anti-trafficking training in the transportation industry,<sup>3</sup> OSCE institutional commitment to procure goods and services from companies with trafficking-free supply chains,<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup> 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

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<sup>2</sup>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>.

<sup>3</sup> OSCE Parliamentary Assembly, 22<sup>nd</sup> 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.

<sup>4</sup>OSCE Parliamentary Assembly, 24<sup>th</sup> 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>.

<sup>5</sup> Ibid. Helsinki Declaration and Resolutions (July 2015).

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

70,000 airport employees in the United States.<sup>7</sup> Hundreds of victims have been rescued already, with the potential for thousands more. The new *Frederick Douglass Act* incentivizes airlines to undertake these trainings or risk losing government business.

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

- Destroy, conceal, remove, confiscate, or otherwise deny an employee access to that employee's identity or immigration documents without the employee's consent;
- Fail to abide by any contractual provision to pay return transportation costs upon the end of employment for the purpose of pressuring an employee into continued employment;
- 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 is helping 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 is helping 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.<sup>8</sup> That same report helps 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* fights trafficking by:

- Preventing abuse of domestic servants in embassies and diplomatic households in the United States by blocking visas for offending countries;
- Focusing grants for survivor care on housing for especially vulnerable groups, such as youth aging out of foster care and justice-system-involved youth;

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

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

- Creating a special complaint mechanism in embassies whereby the United States is warned of labor traffickers exploiting the U.S. entry system;
- Increasing transparency and oversight of U.S. government grants to fight trafficking;
- Strengthening federal efforts to reduce demand for services from sex trafficking victims by providing better oversight of prosecution of those who purchase commercial sex;
- Designating one prosecutor in each of the Department of Justice's twelve focus districts to investigate and prosecute labor trafficking cases;
- Encouraging credible and effective use of the trafficking tier ranking system by the U.S. Department of State in the annual *Trafficking in Persons Report*;
- Ensuring that U.S. military assistance does not go to foreign governments that use child soldiers; and
- Encouraging USAID to integrate human trafficking prevention into disaster relief.

## **2019 OSCE Parliamentary Assembly Resolution on Educating Schoolchildren to Avoid Human Trafficking, Side Event, and Draft Ministerial Decision**

I am pleased that the Annual Session of the OSCE PA last year in Luxembourg unanimously adopted my proposed supplementary item on educating schoolchildren to avoid human trafficking. The resolution focuses specifically on a key factor in creating trafficking-free communities—educating teachers and students on how to identify and avoid human trafficking.

Research by the International Labor Organization indicates that one in four trafficking victims are children.<sup>9</sup> Children of every socio-economic status can be easy prey for traffickers for the simple reason that they lack awareness and understanding about the threat of trafficking. This innate vulnerability can be compounded by additional factors, such as a previous history of abuse and neglect, institutionalization, running away from home, being an unaccompanied or separated minor, disability, belonging to a national minority, lacking citizenship or birth registration, being an asylum seeker, refugee or IDP, or poverty.

Children are more vulnerable than ever due to traffickers misusing the internet to lure children into labor and sex trafficking, as well as other forms of sexual exploitation. The National Center for Missing and Exploited Children (NCMEC) in the United States studied data from 6,000 reports to its CyberTipLine. NCMEC found that in 34 percent of the reports, sexual predators were engaging the child in sexual conversation to groom the child for other purposes.<sup>10</sup>

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<sup>9</sup> International Labor Organization, et al., *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*, Geneva (September 2017) [https://www.ilo.org/global/publications/books/WCMS\\_575479/lang-en/index.htm](https://www.ilo.org/global/publications/books/WCMS_575479/lang-en/index.htm).

<sup>10</sup> National Center for Missing and Exploited Children, *The Online Enticement of Children: An In-Depth Analysis of CyberTipLine Reports*, <http://www.missingkids.org/theissues/onlineenticement>.

In 33 percent of the cases the predators were asking the child for sexually explicit images of themselves—which we know can then be used to blackmail the child into sexual slavery with threats to show the images to the child’s parents and friends.<sup>11</sup>

NCMEC’s research also shows that children, unaware of the dangers, are engaging in other high-risk behaviors online, such as lying about being older in order to access certain platforms which would allow communication with older individuals; and initiating online communication and/or offering an exchange with offenders, such as requesting financial compensation, alcohol/drugs, gifts, etc. for sexually explicit content of oneself.<sup>12</sup>

Most of the children in the study were young teenagers, and nearly all of the children only knew the predator through online communication. In fact, a recent study by the Human Trafficking Institute reported that in 28 percent of all federal trafficking prosecutions in the United States in 2018, the victim met the trafficker through social media.<sup>13</sup>

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

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

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

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

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<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> The Institute on Human Trafficking, 2018 Federal Human Trafficking Report (April 2019) <https://www.traffickingmatters.com/wp-content/uploads/2019/04/2018-Federal-Human-Trafficking-Report-Low-Res.pdf> p. 18.



During the OSCE PA Annual Session in Luxembourg, I held a side event - which many of you attended - to show how education to prevent trafficking could be put into practice, featuring several of the American NGOs that conduct such programs. This included abolitionist Frederick Douglass' great, great, great grandson Kenneth Morris, Bill Woolf, Executive Director of the Just Ask Prevention Project, and Philip Hyldgaard, Senior Operating Director of A21. Last fall, the U.S. Delegation to the OSCE incorporated the resolution into a draft decision put to the OSCE Ministerial Council in Bratislava in December. Unfortunately, the draft was not adopted due to reasons unrelated to its substance, but I hope that you will all ask your delegations to the OSCE to support similar language for this year's Ministerial Council, which will be held in Tirana, Albania in December.

### **Hearing to Mark the 20<sup>th</sup> Anniversary of the Trafficking Victims' Protection Act (TVPA)**

On January 15, 2020, I held a hearing in the U.S. Congressional Tom Lantos Commission to reflect on and assess the efficacy of the TVPA, twenty years after its adoption and just a month before the OSCE Ministerial Council adopted its first decision on combating human trafficking. The hearing also discussed future challenges, many of which could not have been anticipated twenty years ago, such as how ever evolving technology is being utilized by both traffickers, for their nefarious purposes, and also by law enforcement, as it seeks to protect the vulnerable and exploited.

Looking back, it seems we have come a long way on this issue. For most people at that time—including lawmakers—the term trafficking applied almost exclusively to drugs and weapons, not human beings. Reports of vulnerable persons—especially women and children—being reduced to commodities for sale were often met with surprise, incredulity or indifference. In the United States, the Trafficking Victims Protection Act created a new whole-of-government domestic and international strategy and established numerous new programs to protect victims, prosecute traffickers and to the extent possible, prevent it in the first place. It included a number of “sea change” criminal code reforms including treating as a victim—and not a perpetrator of a crime—anyone exploited by a commercial sex act who had not attained the age of 18 and anyone older where there was an element of force, fraud or coercion and radically reformed the US criminal code to authorize asset confiscation and jail sentences of up to life imprisonment.

Thousands of human traffickers have been prosecuted and jailed pursuant to the Trafficking Victims Protection Act, including more recently all charges brought against Jeffrey Epstein and the infamous convictions involving the Smallville actress Allison Mack. The TVPA also has provided assistance with law reform and best practices technical assistance to other countries. We want the whole world on the same page—with laws, policies and priorities that

aggressively attacks this insidious evil. The Act also included sheltering and a national hotline, and, on the refugee side, it created a new asylum category—the T visa—to protect victims and their families. Among its many other provisions, the Trafficking Victims Protection Act also created the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons as well as the U.S. State Department’s Trafficking in Persons Office and annual TIP report with its tier grading of every nation’s record in making “serious and sustained efforts” to eliminate human trafficking. Those relegated to what we call Tier 3—egregious violators—are subject to sanctions.

As we “look ahead” to the next twenty years, we need to be more aware of how new technologies affect our efforts to combating human trafficking, and I welcome the work being done in this regard by the OSCE. Today as never before, traffickers are using internet communication technologies (ICTs) to lure children into trafficking. According to a National Center for Missing and Exploited Children study the average age of online enticement that can result in being trafficked was 15. Hence the need to educate children, which is what the resolution adopted at the OSCE PA 2019 Annual Session in Luxembourg addressed.

We, as lawmakers, also need to be aware of how new technologies are used in financial transactions which seek to hide activities from the eyes of law enforcement. We are witnessing the increasing use of cryptocurrencies – Bitcoin being perhaps the most famous, but there are others – in an effort by traffickers and their patrons to avoid detection.

I hope that, 20 years after both the TVPA and the OSCE’s first Ministerial Council decision on combating trafficking, all of us will look at how our countries – and the OSCE – can be more effective in the fight against trafficking, particularly in areas involving new technologies.

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

The 2019 *Trafficking in Persons Report*<sup>14</sup> was released in June 20, 2019 by Secretary of State Michael Pompeo. Required by my *Trafficking Victims Protection Act of 2000*, this report is one of the most successful ways the U.S. promotes best practices and ensures accountability for the minimum standards to eliminate human trafficking. This annual report lays bare the record of 187 countries, including the United States, summarizing the country’s progress in an annual tier ranking and in a narrative—with recommendations for progress.

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<sup>14</sup> U.S. Department of State, *2019 Trafficking in Persons Report* (June 2019) <https://www.state.gov/reports/2019-trafficking-in-persons-report/>.

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

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

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

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

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

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

Three OSCE participating States made significant progress last year. Mongolia moved back up to Tier 2 for its efforts including "resuming funding for victim service provision; significantly increasing identification of victims and assistance for repatriation; securing several convictions under new provisions of the amended criminal code; and initiating a new law enforcement campaign to curb fraudulent recruitment via social media."<sup>15</sup>

Tajikistan moved up to Tier 2 for efforts including "assuming oversight and financial responsibility for a trafficking shelter; amending the criminal code to eliminate inconsistencies with the 2014 victim protection law and remove a demonstration of force, fraud, or coercion for child sex trafficking; facilitating the return of Tajik children from Iraq and Syria; identifying

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<sup>15</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/mongolia/>

significantly more trafficking victims; and collaborating with local and international civil society groups on the development and review of trafficking laws and the draft 2019-2021 national action plan.”<sup>16</sup>

Finally, although it did not change its ranking, Uzbekistan continued to make progress by “taking substantive actions towards ending its use of forced adult labor during the annual cotton harvest, including by increasing remuneration to pickers, partially demobilizing some public sector workers, continuing to allow full unimpeded access to international third-party monitors, incorporating independent human rights activists into monitoring plans, and continuing to uphold the ban on child labor in the harvest.... It increased support to vulnerable labor migrants, including trafficking victims, by creating a budget line item and allocating funds to provide assistance.”<sup>17</sup>

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

The fight against trafficking in persons requires constant vigilance. Azerbaijan was downgraded to the Tier 2 Watchlist because “prosecution efforts decreased, with courts issuing suspended sentences for nearly all convicted traffickers. The credibility of the Anti-Trafficking Department (ATD) was diminished by credible reports of its arbitrary detention and physical coercion of a confession from a minor; and the government did not regularly screen vulnerable populations and lacked proactive identification efforts, particularly for Azerbaijani victims of internal trafficking. As a result, the government disincentivized cooperation with law enforcement and may have penalized victims due to inadequate identification. The government did not fund NGO-run shelters despite relying heavily on their victim support and reintegration services. Some local officials mobilized and forced some public-sector employees to participate in the autumn cotton harvest.”<sup>18</sup>

Denmark was downgraded to Tier 2 as it “initiated only one trafficking investigation during the reporting period, largely due to a reduction in the number of officers responsible for investigating human trafficking crimes. Additionally, courts convicted only one trafficker, the lowest number in more than a decade. The government continued to focus on the undocumented status of some foreign victims rather than screening for indicators of trafficking, often incarcerating them during review of their status. Furthermore, lack of incentives for victims to cooperate in investigations, such as residence permits, inhibited successful prosecutions and left victims vulnerable to re-trafficking and reluctant to come forward and work with police.”<sup>19</sup>

Germany also dropped to Tier 2 this year, as “the high number of suspended sentences for trafficking convictions, with only 36 percent of convicted sex traffickers in 2017 serving prison time and all three convicted labor traffickers receiving only fines, undercut efforts to hold traffickers accountable, and did not meet the minimum standard generally requiring incarceration

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<sup>16</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/tajikistan/>

<sup>17</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/uzbekistan/>

<sup>18</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/azerbaijan/>

<sup>19</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/denmark/>

for convicted traffickers. Law enforcement data also has shown an overall multi-year decline in convictions for trafficking since 2009.”<sup>20</sup>

Another country which dropped to Tier 2 was Italy. “Despite government commitments and efforts to crack down on trafficking rings in Italy, there was a decline in the number of trafficking arrests and investigations compared to the previous reporting period. While NGOs and international organizations referred many victims for government assistance, the government did not consistently assess risks to potential victims prior to forced returns or expulsions to countries where victims would face retribution or hardship. The government did not have legal protections from penalties against victims for unlawful acts traffickers compelled them to commit.”<sup>21</sup>

Kazakhstan was downgraded this year to the Tier 2 Watchlist because “efforts to identify and protect foreign victims remained inadequate compared to the estimated size of the population, and foreign victims who did not participate in criminal investigations were ineligible for services and had no legal alternatives to removal. Law enforcement made limited efforts to investigate, prosecute, and convict labor trafficking crimes. NGOs continued to report allegations of police officers’ complicity in human trafficking; there remained few investigations or prosecutions of police or other government officials suspected of complicity.”<sup>22</sup>

Poland dropped to Tier 2 as “the government liquidated its high-level interagency coordination body and replaced it with an auxiliary body subordinate to the Minister of the Interior. Government efforts to identify and protect child victims remained inadequate. The government continued to make minimal efforts to address forced labor, and courts failed to adequately hold labor traffickers accountable in the reporting period despite NGOs serving approximately 520 victims of forced labor in the past five years.”<sup>23</sup>

Romania adopted a five-year national strategy and national action plan last year, but “courts convicted significantly fewer traffickers and officials identified considerably fewer victims, continuing a multi-year decline in such efforts. Endemic corruption and alleged complicity in trafficking crimes persisted without punishment, particularly with officials exploiting minors while in the care of government-managed placement centers. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on witness protection, restitution for victims, and sentencing for perpetrators. Moreover, lack of sufficient government funding for assistance and protection services remained problematic, leaving most victims without services, susceptible to re-traumatization, and vulnerable to re-trafficking.”<sup>24</sup>

Finally, although Slovakia implemented a new victim protection law, provided better care for victims, and approved a new national program to fight trafficking, “convictions decreased

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<sup>20</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/germany/>

<sup>21</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/italy/>

<sup>22</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kazakhstan/>

<sup>23</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/poland/>

<sup>24</sup> <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/romania/>

and Slovak courts suspended every convicted traffickers' sentence, resulting in none of them spending time in prison. The government identified fewer victims, and authorities did not adequately identify foreign or domestic trafficking victims within the country or adequately sensitize the growing foreign worker population to trafficking risks, its rights, and available victim assistance; the government did not utilize witness protection programs for trafficking victims; and the government rarely awarded compensation to victims.”<sup>25</sup>

### **Draft Legislation to Fight Human Trafficking in the Hotel Industry**

On February 28 of last year, I introduced legislation (HR 1427) to prioritize U.S. government business with hotels that have strong anti-human trafficking policies in place.<sup>26</sup> I believe that government travelers should be staying at hotels that are part of the solution to human trafficking, not part of the problem. At least six of the ten major hotels chains in the world have taken the initiative to train their staff to recognize and report when human traffickers use their hotels for crime. These are the hotels that deserve government business. Training is widely available, inexpensive, short - and saves the lives of women and children. Hotels should join the fight to stop trafficking, and our governments should ensure that government travelers use responsible hotels.

The bill's provisions include:

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

The legislation also mandates that the General Services Administration:

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

### **Conclusion**

Although the 2019 Trafficking in Person's Report numbers show flagging prosecutions to fight trafficking in Europe, many participating States did well to implement best practices related

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

<sup>26</sup> H.R. 1427 (Feb. 28, 2019) <https://www.congress.gov/116/bills/hr1427/BILLS-116hr1427ih.pdf>.

to convictions and victim identification last year. OSCE anti-trafficking best practices—many of them created right here in the Parliamentary Assembly—offer each participating State a map to success.

As I saw this year with the passage of the Frederick Douglass Reauthorization Act, legislative implementation of the best practices developed in the OSCE are within reach. I hope that each delegation will take best practices from Ministerial Decision 7/17<sup>27</sup> or recent OSCE PA resolutions and turn them into legislation this year, including from the Luxembourg resolution to promote the best practice of educating schoolchildren to avoid human traffickers. I hope you will all support me and encourage the foreign ministries in your countries and your delegations to the OSCE in Vienna to include this issue in any Tirana Ministerial decisions concerning human trafficking. Please join me in this effort until we have raised a generation that is free of human trafficking.

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<sup>27</sup> “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>.