

Trafficking in Persons Report

*Excerpts of Remarks by Chairman Chris Smith
Subcommittee on Africa, Global Health, Global Human Rights, and Int'l Orgs.
2172 Rayburn HOB
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Good morning, and thank you for joining us today for the second in a series of hearings on the Trafficking in Persons report and U.S. efforts to combat human trafficking. In April, our committee took a close look at the records of 6 countries which had exhausted all of their allotted time on the Tier 2 Watch list and must, by law, be moved to Tier 2 or Tier 3 in this year's Trafficking in Persons (TIP) report.

As discussed by experts in the April 18 hearing, the trafficking records of China, Russia, and Uzbekistan were particularly worrisome. An upgrade to Tier 2 would have been completely unmerited and would have damaged the credibility of the Trafficking in Persons report.

The TIP report was released late last month, and I was pleased to see that it is one of the best yet—and that it faithfully reported and graded the records of China, Russia, and Uzbekistan, which had been skirting accountability for far too long. Now, the Administration is faced with next steps including what sanctions might be imposed to press these nations to reform.

When I wrote the law—the Trafficking Victims Protection Act of 2000—that created not only this report, but also the Office to Monitor and Combat Trafficking in Persons in the U.S. Department of State, and several other provisions to prevent both sex and labor trafficking, protect victims, and prosecute traffickers, it was hoped this report would become the international gold standard and primary means of anti-trafficking accountability around the world. It has. From the halls of parliaments globally to police stations in remote corners of the world, this report is today being used to focus anti-trafficking work in 186 countries.

But with the power of this report to improve situations came the risk that it could also be used to whitewash the truth about a country's trafficking record—it could fail to report accurately and inadvertently give cover to negligent or complicit governments.

I am happy to say that the 2013 report is one of the best ever produced. Special thanks are especially in order for Ambassador Luis CdeBaca and his dedicated staff for faithfully highlighting the good, while exposing the bad and the ugly. The TIP report is faithful in and reflects the hard, meticulous work and leadership of the Office to Monitor and Combat Trafficking in Persons. This office not only analyzes whether a country is complying with the minimum standards for the elimination of human trafficking, but also sets specific recommendations for how a country can move forward.

With this report, countries should have no question about where they rank, or how they can improve. Many countries have publically or privately credited the report as the impetus for real improvement in their trafficking laws and policies. Since the TIP report's inception, more

than 130 countries have enacted anti-trafficking laws, and many countries have taken other steps required to significantly raise their tier rankings.

This year, China, Russia, and Uzbekistan finally have to confront their records. The report tells it like it is. For instance, the TIP report states that:

'The Chinese government's birth limitation policy and a cultural preference for sons, create a skewed sex ratio of 118 boys to 100 girls in China, which served as a key source of demand for the trafficking of foreign women as brides for Chinese men and forced prostitution. Women from Burma, Malaysia, Vietnam, and Mongolia are transported to China after being recruited through marriage brokers or fraudulent employment offers, where they are subsequently subjected to forced prostitution or forced labor...Traffickers recruited girls and young women, often rural areas of China, using a combination of fraudulent job offers, imposition of large travel fees, and threats of physical or financial harm to obtain and maintain their service in prostitution.'

Because tens of millions of girls have been systematically killed by sex selection abortion over the past three decades—resulting in an unprecedented number ‘missing’ women and girls—demand for prostitutes and so-called “brides” is exploding in China.

As a direct consequence of the barbaric one child per couple policy in effect since 1979, China has become the global magnet for sex traffickers. Women and young girls have been and are today still being reduced to commodities and coerced into prostitution. Without serious and sustained action by Beijing, it is only going to get worse.

The TIP report also makes clear that “Chinese law remains inadequate to combat all forms of trafficking...and the Government of China’s efforts to protect trafficking victims remained inadequate...” In addition, China’s “government continued to perpetuate human trafficking in at least 320 state-run institutions.”

I, along with Congressman Frank Wolf, visited one of those state-run institutions in the early 1990’s—Beijing Prison #1. We were shocked to observe the horrific conditions imposed on inmates including more than 40 Tiananmen Square human rights activists. The report makes clear that state-sponsored forced labor is part of a systemic form of repression known as “re-education through labor. The government reportedly profits from this forced labor, and many prisoners and detainees...”

With this report, we have done right by the millions of trafficking victims in China. With this report, we are holding China to account for its complicity in profits off of modern-day slavery. It is my sincere hope that the truth will turn the tide in China.

However, I was disappointed to see that Vietnam was not downgraded to the Tier 2 Watch List or Tier 3. Vietnam’s labor export companies—most of which are owned by or affiliated with the Government of Vietnam—have been engaged in practices that lead to debt bondage and forced labor. The Government of Vietnam has yet to pay millions of dollars in

damages to Vietnamese labor trafficking victims found in the United States and its territories, as ordered by U.S. courts.

Vietnamese trafficking victims in other countries report that the Government of Vietnam sides with the traffickers to keep them in bondage when the victims seek help. Other reports indicate that the Vietnamese embassy in Russia is actively working with organized crime to enslave Vietnamese nationals in sweatshops and brothels, and the TIP report itself notes reports that officials at border crossings and checkpoints accept bribes from traffickers.

Some notable trends in the 2013 include:

- Tier 1: 30 countries (as compared with 33 in 2012)
- Tier 2: 92 countries (as compared with 93 in 2012)
- Tier 2 WL: 44 countries (as compared with 42 in 2012)
- Tier 3: 20 countries (as compared with 17 in 2012)

The Africa region increased its prosecutions by 45% (labor prosecutions by 500%), its convictions by 16%, and its victim identification by 13%. Africa is the region with the greatest number of Tier 3 countries, and does not contain any Tier 1 countries.

The East Asia and Pacific region saw a 23% decrease in prosecutions, but a 28% increase in convictions and a slight increase in the number of victims identified. The number of victims identified remains alarmingly low (8,521) in a region where the International Labor Organization believes there are nearly 12 million enslaved individuals. The number of labor convictions (103) also remains extremely low in the region of the world most plagued by labor trafficking.

The Europe region saw a slight drop in prosecutions, but a 13% increase in convictions and a 17% increase in victims identified. The European region identified the most victims out of all regions in 2013.

The Near East region saw a 19% increase in prosecutions in 2012, and more than doubled its conviction rate (largely due to efforts in the United Arab Emirates). The Near East region also more than doubled its number of victims identified. This region has the greatest relative proportion of Tier 3 countries.

The South and Central Asia region saw slight, but appreciable increases in its prosecutions (7%), convictions (5%), and number of victims identified (13%). India, one of the first countries to be moved off of the Tier 2 Watch List under the TVPRA of 2008 two-year rule, maintained a questionable Tier 2 ranking for a second year. Out of nearly 2 billion people, only 4,415 victims were identified.

The Western Hemisphere region, in which the United States is included, prosecutions increased by 72%, and convictions increased by 44% (including a 650% increase in labor trafficking convictions). However, victim identification decreased by 15% (although there was a significant increase in the number of labor trafficking victims identified). Eight countries in this

region improved their anti-trafficking laws in 2012. Cuba is the only country in the region to be Tier 3. Colombia and Nicaragua share Tier 1 status with the United States and Canada.

I look forward to discussing this, and other issues, such as possible sanctions against Tier 3 countries, with our only witness today, Ambassador-at-Large Luis CdeBaca.