THE TRAFFICKING IN PERSONS REPORT 2011: TRUTH, TRENDS, AND TIER RANKINGS

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

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THE TRAFFICKING IN PERSONS REPORT 2011: TRUTH, TRENDS, AND TIER RANKINGS

THURSDAY, OCTOBER 27, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:08 p.m., in room 2200, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. And good afternoon to everybody. Welcome to this hearing to examine the State Department's 2011 Trafficking in Persons Report. This annual report to Congress was first mandated by legislation that I sponsored, known as the Trafficking Victims Protection Act of 2000.

In 1998—and I know Ambassador CdeBaca is very well aware of this—when I first introduced the bill, the legislation was met with a wall of skepticism and opposition, although we did have some friends like the Ambassador. People both inside of government and out thought the issue of human trafficking was merely a solution in search of a problem. For most people at that time, the term "trafficking" applied almost exclusively to illegal drugs or weapons. Reports of vulnerable persons, especially women and children, being reduced to commodities for sale were often met with surprise, incredulity, or indifference.

One major objection to the bill, especially from the Clinton administration, was the naming and ranking of countries based on compliance with the establishment of commonsense minimum standards, clearly articulated prevention, protection, and prosecution benchmarks, enforced by sanctions and penalties against egregious violators.

Fortunately, reality won out over ignorance. Although it took 2 years to overcome opponents and muster the votes for passage, the Trafficking Victims Protection Act was finally signed into law with strong bipartisan support. This support from both sides of the aisle has continued through subsequent reauthorizations, and has been essential in the ongoing successes by the U.S. Government in combating modern-day slavery both at home and abroad.

However, the battle is far from over. According to the State Department's Office to Monitor and Combat Human Trafficking, created by the TVPA, more than 12 million people worldwide are trafficking victims. Other estimates put the number of victims as high as 27 million.

Today we know that human trafficking is the third most lucrative criminal activity in the world. According to the International Labor Organization, human traffickers make profits in excess of $31 billion a year.

We are fortunate to have with us today three distinguished State Department witnesses to examine both the substance and the diplomatic activity that is behind the Trafficking in Persons Report. The report, which is written by the TIP office, headed by Ambassador Lou CdeBaca, summarizes the rankings and performance of each country and provides detailed recommendations as to how each country can improve its efforts.

But more than a source of comprehensive, concise knowledge against human trafficking around the world, the TIP report has been an incredibly effective diplomatic tool. The report has been a catalyst for improvement, often dramatic improvements, in efforts of governments to address human trafficking within their borders and regions.

With a combination of encouragement, persuasion, and sustained pressure via sanctions or the threat of sanctions imposed by the U.S., countries around the world have created or amended over 120 laws to combat human trafficking, and, in the past 3 years alone, an estimated 113,000 victims have been identified and assisted worldwide. Individuals within each country can use the report to assess their government's commitment and to lobby their government to take specific measures.

The G/TIP Office also coordinates technical assistance and aid for many of the countries wishing to improve their anti-trafficking response. The result has been a worldwide anti-trafficking surge, largely dependent on the credibility, the accuracy, and faithful implementation of the report, including the tier framework.

This afternoon, we will turn our attention to ensuring that the report retains these essential attributes, and to assess whether or not it is fulfilling its purpose.

In 2003, Congress added a special Watch List to the tier rankings to allow countries an opportunity to address serious shortcomings in their anti-trafficking efforts before being placed in Tier III and subject to sanctions. When it became apparent that this Tier II Watch List was becoming a permanent parking lot for some countries, Congress added a requirement to the 2008 reauthorization that the President either downgrade or upgrade any country that had been on Tier II Watch List for 2 consecutive years.

Obviously, the direction in which the country is moved is based on whether requisite measures were taken to meet the minimum standards. The President can waive the requirements to move a country off of the Tier II Watch List for up to 2 years if the country has a plan to bring itself into compliance with minimum standards, and designates sufficient resources to carry it out. But this waiver should only be applied in the most extreme cases, as countries have had since 2009 to undertake this effort.

Consequently, it is with concern that I note the President has determined 12 countries need yet another year on Tier II Watch Lists. Some of these countries, notably China and Russia, have

been on the Watch List for 7 and 8 years respectively. Uzbekistan has been on the list for 4 years.

I look forward to hearing, discussing with our witnesses today, exactly why the administration is convinced these countries need yet another year to get their acts together. I also look forward to a serious discussion about the application of sanctions.

The report shows that of the 23 countries on Tier III, the full sanctions envisioned by the TVPA will be applied to only three countries: Eritrea, Madagascar, and North Korea. Partial sanctions will be imposed on seven countries, and 13 countries will have no trafficking sanctions imposed whatsoever.

Some may argue that being on Tier III is punishment enough, but Congress envisioned tangible repercussions for countries on Tier III. Those who work on the front lines of human trafficking know all too well that a law is useless and diminished at the very least, unless faithfully implemented.

I look forward to discussing with our distinguished witnesses today the accuracy of the tier rankings and the importance of substantial follow-up actions.

I would like to now yield to my friend and colleague Mr. Payne for any opening comments he may have.

Mr. PAYNE. Thank you. Let me start by commending Congressman Smith for calling this important hearing on the 2011 Trafficking in Persons Report.

I want to thank our witnesses for agreeing to testify before us today. On June 27, the State Department issued its 11th annual Report on Human Trafficking in Persons, TIP Report, as mandated by the Trafficking Victims Protection Act. Overall, the 2011 report presents a sobering view of the state of U.S. and international campaigns against human trafficking. It describes the most common severe forms of human trafficking, and identifies key emerging issues and trends.

Unfortunately, global progress has been mixed. For example, in the past 2 years the average number of prosecutions of human trafficking offenders has increased. However, if we look back further we see that the total number of prosecutions have declined.

I look forward to hearing from our witnesses today about ways the international community can help developing countries strengthen their judicial systems to better respond to this and other criminal justice issues.

The report also reveals that we are failing to adequately target each subset of TIP, particularly forced labor, which is more than a common crime; it actually occurs much more than sex trafficking, but only represents 10 percent of all prosecutions.

I am looking forward to hearing the panel's thoughts on how to better address this challenge of trafficking in the workforce. I also hope the witnesses can highlight the unique challenges facing many African and conflict-stricken countries in addressing the issue of human trafficking.

According to the report, only two African nations, Nigeria and Mauritius, are fully complying with the minimum standards for combating human trafficking, therefore qualifying them as Tier I. Ten African countries fall within Tier III, which makes them subject to aid restrictions. In Africa, these potential aid restrictions are

cause for concern. Many countries on the continent have been burdened by debilitating conflicts and strife. Africa's conflicts have displaced citizens, traumatized local communities, and it is often children who are particularly vulnerable to exploitation.

In these conflict areas, where government control is often limited, armed groups may abduct women and children for sexual slavery, and also often recruit children for their ranks.

Limited income-earning opportunities in conflict zones also contribute to these problems. Exploitation thrives under these conditions. Overburdened governments, poor judicial systems, and widespread poverty prevent adequate response to human trafficking cases in many of the countries that I am referring to. Yet some African nations are making progress on this front.

The U.N. Secretary General stated in his most recent global report on children and armed conflict that, despite several challenges, considerable progress was made by the Sudanese People's Liberation Army, the SPLA, in implementing a plan to remove child soldiers from its ranks. According to the 2011 report, Chad reportedly ended all child conscription into its national army, and continued to engage in efforts to demobilize remaining child soldiers from rebel forces.

Earlier this month, President Obama certified that Chad had taken necessary steps to allow for its reinstatement of barred assistance. While I agree that the United States and the international community must hold states responsible for implementing robust anti-trafficking initiatives, I am concerned about the impact that withholding aid can have on innocent civilians.

It is important that in our effort to end human trafficking and persuade nations to fully engage in the global cause, we do not inadvertently harm those we intend to protect and help. I commend President Obama for his thoughtful understanding of this very complex issue and for granting waivers where appropriate.

As we move forward with our discussion today, let us not forget the conditions that allow the horrific crimes of human trafficking to exist. We should focus on ways to ensure that our aid programs help strengthen the capacity of developing countries to adequately protect their civilians and citizens.

Thank you again to our witnesses, and I look forward to hearing your testimony. I yield back the balance of my time.

Mr. SMITH. Thank you very much, Ranking Member.

We are joined by Mr. Turner. Thank you for being here.

Mr. TURNER. Thank you.

Mr. SMITH. And I will put all of the extensive resumes of our distinguished witnesses in the record, and just very quickly summarize.

First, introducing Ambassador Luis CdeBaca, who is no stranger to this subcommittee, who was appointed in 2009 as the Director of the State Department's Office to Monitor and Combat Trafficking in Persons, which assesses global trends, provides training and technical assistance, and advocates for an end to modern-day slavery. Ambassador CdeBaca formerly served as chief counsel to the House Committee on the Judiciary, where his portfolio included modern slavery issues among many other things. He also served as a Federal prosecutor with the Department of Justice, where he con-

victed dozens of abusive pimps and employers, and helped to liberate hundreds of victims from servitude. A very distinguished record.

We will then hear from Ambassador Robert Blake, who currently serves as the Assistant Secretary of State in the Bureau of South and Central Asian Affairs, a position he has held since May 2009. He entered the Foreign Service in 1985, and served at the American Embassies in Tunisia, Algeria, Nigeria, and Egypt. He served as the deputy chief of mission at the U.S. Mission in New Delhi, India, from 2003 to 2006. And Ambassador Blake was our Ambassador to Sri Lanka and Maldives from 2006 to 2009. He also held a number of positions at the Department right here in Washington.

Then we will hear from Mr. Joseph Yun, who is currently Principal Deputy Assistant Secretary in the Bureau of East Asian and Pacific Affairs, a position he has held since August 2010. In this role, he is responsible for relations with Southeast Asia and ASEAN affairs. He joined the Foreign Service in 1985, and has served in numerous positions abroad, including in South Korea, Thailand, France, Indonesia, and Hong Kong.

Ambassador CdeBaca, the floor is yours.

STATEMENT OF THE HONORABLE LUIS CDEBACA, AMBASSADOR-AT-LARGE, OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, U.S. DEPARTMENT OF STATE

Ambassador CDEBACA. Thank you, Mr. Chairman, Congressman Payne, Congressman Turner. Thank you to the subcommittee for the opportunity to testify today. I have a more fulsome statement that I would offer for the record. But before we start, I would like to take a step back, if I may, to recognize what you and your cosponsors of the original Trafficking Victims Protection Act achieved in bringing that initial skepticism that you perhaps mentioned to consensus.

Eleven years ago this afternoon in fact, on a similarly rainy day in October, President Clinton recorded his radio address to be broadcast on the morning of October 28, 2000, the day that he signed that groundbreaking legislation into law to fight what the President described that day as slavery, pure and simple. As President Clinton pointed out, the TVPA was groundbreaking in providing new tools both here at home and abroad in increasing our assistance to other countries to help them detect and punish this pernicious practice.

I would like to simply quote President Clinton, because his words that evening are as applicable now as they were then. He said, and I quote,

> "I worked hard for these provisions. They build on what we have been doing at home and abroad to address this problem. We see in the success of this landmark legislation once again that there is no real secret to getting things done in Washington. When we put progress over partisanship, we get results. When we work together, we get results. Working hard, working together through three Presidencies and various changes in the Congress, together committed to ending modern slavery."

As you continue to deliberate this year's reauthorization of the Trafficking Victims Protection Act, hearings such as this one are helpful opportunities to discuss the global fight. And we are dedicated to working together with you to get those types of results that President Clinton mentioned.

This week is also the 10th anniversary of the establishment of the Trafficking in Persons Office at the State Department. On October 22, 2001, the Office opened for business and has never flagged in its resolve. A decade of leadership by my predecessors, Ambassadors Nancy Ely-Raphel, John Miller, Mark Lagon, but the fight is really the result of the expertise of the G/TIP career staff, the civil servants, Foreign Service, and contractors and their partners at Main State and at post. Two of those experts, Amy O'Neill Richard and Carla Menares Bury, have been in the Office since the beginning. And those women are globally recognized leaders in the modern abolitionist struggle, and I would like to note that we owe them all a debt of gratitude for their decade in service in this fight against modern slavery.

The most visible part of our work is the annual Trafficking in Persons Report. And thorough and honest assessments are the benchmark of the TIP report. We take into account information from civil society groups, foreign governments, and our own reporting officers at post who conduct on-the-ground research throughout the year. The review process involves numerous State Department offices so that the final product represents a Department-wide consensus on how well various governments are doing to handle this problem.

Accurate reporting is essential to the effectiveness of the Trafficking in Persons Report as a diplomatic tool. And indeed, governments often cite it as a factor prompting stronger action in response to modern slavery. Sometimes those conversations happen in public, more often in private, and sometimes a government that criticizes the report, and perhaps even mobilizes others in the regions or around the world against it, quietly nonetheless takes steps to address the standards that were set forth by Congress.

Regardless of the public response, we are going to work hard with our counterparts to get results, just as was done in the Clinton administration, just as was done in the Bush administration. What the report tells us is that no country, including the United States, is immune to this scourge, and that no government, including the United States, is doing a perfect job in combating it.

The two regions that we address today, East Asia and the Pacific, and South and Central Asia, are hit particularly hard by this crime. We always say that the fight against modern slavery takes political will, and not just on the part of governments overseas. Assistant Secretaries Bob Blake and Kurt Campbell are showing that political will both individually and within their chains of command. As a result, we have seen a real institutionalizing of the anti-trafficking fight in these regions, and a coming together around this sense of mission. That means year-round engagement—not just the preparation of the annual report, and for that I am personally grateful for the leadership of Assistant Secretaries Campbell and Blake—year-round engagement, partnership, and hard work, necessary to move past this last decade of development in which laws

and structures have slowly come on line, and to move into what Secretary Clinton calls a decade of delivery.

Because the number of successful prosecutions seems to have leveled off a bit, because services for survivors continue to be inadequate, and victim identification remains a challenge, because structures and results are not the same thing. The difference between the passage of a law and the effective implementation of that law is political will. The reality is that there are places where that political will is weak or nonexistent, and in those places victims are most at risk.

As the report shows, some governments merely go through the motions when it comes to fighting modern slavery, and some governments, the Tier III countries, typically, do not do anything at all. Every day, nongovernmental actors around the world work to make up for that, despite the fact that these governments are doing little or nothing. We support such groups through our international programs and foreign assistance funds. We know that it will never be possible to give every organization the help that they want, but even the current funding levels only average out to a little more than $0.72 per victim per year, given the 27 million estimate worldwide. And in many countries, if that little bit of American funding that we were able to give were to disappear, those programs would simply cease to exist. There would be no place for victims and survivors to go.

It has been 149 years and 1 month since President Lincoln made the promise of emancipation. It was 4 months ago that we released the TIP report and that Secretary Clinton called for a decade of delivery to make good on President Lincoln's promise around the world.

If the U.S. Government is not able to stand with motivated governments and the nongovernmentals that make a difference on the ground providing victim services, training prosecutors, and police officers, the decade of delivery is already in danger. If the anti-trafficking movement loses steam in Washington and the halls of Congress, we could lose that fight everywhere else as well.

We cannot try to balance the budget on the backs of trafficking victims. And if we do so, or try to do so with cuts to an already tiny amount of money, we put at risk all of the progress made over the last decade. Human trafficking is a threat to our country and an offense to our most important values. But more importantly, as Secretary Clinton has said, fighting slavery is part of who we are as a Nation. For 149 years we have not only had a responsibility to act against this crime, we have pledged ourselves to that responsibility. We must not and will not shirk from that task. Thank you.

Mr. SMITH. Thank you very much, Mr. Ambassador.

[The prepared statement of Mr. CdeBaca follows:]

Statement of
Luis CdeBaca
Ambassador-at-Large
Office to Monitor and Combat Trafficking in Persons
U.S. Department of State

Before the

House Foreign Affairs Committee
Subcommittee on Africa, Global Health, and Human Rights

October 27, 2011

Thank you Mr. Chairman, Congressman Payne, and all the members of this committee for the opportunity to testify today. As Congress continues to deliberate this year's reauthorization of the Trafficking Victims Protection Act, hearings such as this one are helpful opportunities to discuss the global fight against human trafficking, and in particular one of our government's most important tools in moving that fight forward, the annual *Trafficking in Persons Report*.

The *TIP Report* assesses government action around the world against trafficking in persons—that is, all of the activities involved in reducing someone to, or holding them in, a condition of compelled service. The core of this *Report* is the set of Congressionally-established minimum standards set forth in the TVPA. These standards reflect the definitions and framework to combat trafficking in persons outlined in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, known also as the Palermo Protocol.

Following Congress's mandate, the Department of State ranks governments around the world according to these standards and determines a tier ranking based on a government's progress in meeting those standards. The *Report* comprises those rankings as well as individual country narratives that further explain both the TIP situation on the ground and governmental efforts according to the criteria laid out by Congress. The methodology is sound and transparent—the facts are applied to the law. Any country, whether in Asia or elsewhere, that wants to test this methodology need only assess their efforts against these minimum standards.

Thorough and honest assessments are the benchmark of the *TIP Report*. Our narratives take into account information from civil society groups, foreign governments, and our own State Department reporting officers who conduct on-

the-ground research throughout the year. The review process involves numerous DOS offices so that the final product represents a Department-wide consensus on how well various governments are handling this problem. Beginning last year, a United States country ranking was also included in the *Report*, because, as Secretary Clinton has said, we should hold ourselves to the same standards as we hold everyone else. Accurate reporting is essential to the effectiveness of the *TIP Report* as a diplomatic tool, and indeed governments repeatedly cite it as a factor prompting stronger action in response to modern slavery. Sometimes that happens in public—more often in private. And sometimes a government that criticizes the *Report* and even perhaps mobilizes others against it quietly takes steps to work with us to begin meeting these standards.

What the Report tells us is that no country is immune to this scourge, and that no government is doing a perfect job combating it. The two regions we are addressing today—East Asia and the Pacific, and South and Central Asia—are hit particularly hard by this crime. I'm pleased to be joined today by Assistant Secretary Robert Blake, who leads the Department's South and Central Asian Affairs Bureau, and Joseph Yun, Deputy Assistant Secretary in the Bureau of East Asian and Pacific Affairs. We always say the fight against modern slavery takes political will, and Bob Blake and EAP Assistant Secretary Kurt Campbell are showing that both individually and within their chains of command. My colleagues will discuss in greater detail the progress in these areas and what governments are doing about it, but I'd like to highlight a few of the problems in trends that were discussed in the 2011 *TIP Report* and continue to be areas of concern.

- Sex trafficking of women and children has not abated and may in fact be increasing in places such as India. Additionally, our findings continue to show that it is local populations, more than Western "sex tourists," that fuel the demand for sex trafficking, and law enforcement needs to address both sectors for prevention to be truly successful. Widening gender gaps in China and India are fueling the demand for young girls as forced brides or for commercial sexual exploitation.

- We know that around the world, forced labor is highly prevalent among migrant populations, and that Asia has the world's largest share of labor migration. Migrants from both the East Asia and Pacific and South and Central Asia regions are subjected to forced labor in recognized destination countries such as Malaysia, Singapore, and the Persian Gulf. More troubling still, much of this abuse takes place under the guise of legal, contractual and temporary work.

- In recent months, concerns over forced labor on fishing fleets have garnered increased attention. Our own research suggests that this is a problem with massive geographic scope, spanning fisheries from Indonesia to New Zealand. And Asian boats are ranging from the Cape of Good Hope to Central America.

- The enslavement of domestic workers from South and East Asia is a significant problem, whether Sri Lankans abused in the Gulf or Indonesians exploited in Malaysia. The International Labor Organization's (ILO) new Convention on Domestic Workers aims at addressing the unique vulnerabilities of this group; we hope that the increased attention on this challenge will lead to governments addressing the needs for justice and services for these victims.

- Definitional confusion among governments in the EAP and SCA regions continues to lead to the conflation of people smuggling and human trafficking. This lack of clarity hinders efforts to find and help victims. When it comes to trafficking, we continue to urge destination governments to shift their focus away from the legality of a migrant. As we know, modern slavery need not involve movement or cross borders.

- Additionally, we continue to push governments to acknowledge that human trafficking is a crime that can involve sex and labor. For instance, the definition of trafficking in the 2005 South Asia Association for Regional Cooperation (SAARC) Convention is not consistent with how the term is defined and addressed in many other prominent international instruments on trafficking in persons from groups such as the Council of Europe and the Organization of American States, and with the primary international treaty on trafficking, the Palermo Protocol. The Convention continues to focus on the concept of trafficking as the movement of women and children for prostitution and fails to address the trafficking of adults or forced labor. We hope that as the region's leaders gather for the SAARC Summit in Male in November, they will work toward bringing the region's conceptual notion of trafficking into conformity with the UN and other regional frameworks.

- We continue to advocate for comprehensive victim care, rather than the "Detain and Deport" model that we too often see in these regions. Protection should not mean inappropriate confinement for victims preparatory to deportation. Indeed, they need to be empowered through the opportunity for economic self-sustainability as well as aftercare and alternatives to deportation.

- We encourage governments of sending and receiving states to explicitly address modern slavery in labor-related memoranda of understanding (MOUs) and to enforce those provisions in an open and transparent manner.

My staff and I, collaborating closely with regional bureaus, will continue to engage governments in these regions in order to bring these issues to their attention, and we will urge them to take positive action in advance of next year's *TIP Report*.

In addition to the country narratives, the *TIP Report* includes an introduction that provides a conceptual framework to the struggle against modern slavery. In this year's *Report*, we show that the first 10 years of the modern anti-trafficking movement have been a decade of development: in countries all over the world, legal structures have been enacted and protection mechanisms have been put in place. However, the number of successful prosecutions seems to have leveled off, services for survivors continue to be inadequate, and victim identification remains a challenge. That's why the 2011 *TIP Report* described the need for a "decade of delivery," in which governments must be held accountable for delivering on the promises made in recent years. Because structures and results are not the same thing.

The difference between the passage of a law and the effective implementation of a law is political will. We have seen political will succeed. We have seen it in the Philippines, where the Aquino Administration is prioritizing trafficking cases in the court system and pushing through the backlog, delivering on a set of processes and promises that had been moribund at best. We have seen it in other regions; the Association of Southeast Asian Nations (ASEAN) this summer invited Nigerian prosecutors to come to Singapore and share the secrets of their success, providing a unique opportunity for ASEAN members to learn from an African country.

But the reality is that there are places where that political will is weak or nonexistent, and there, victims are most at risk. As the *Report* shows, some governments merely go through the motions when it comes to fighting modern slavery, and some governments don't do anything at all. A key source of hope for victims and survivors is the work of civil society—non-governmental organizations, international organizations, the faith community, and advocacy groups.

These organizations are made up of people working every day to make the decade of delivery a reality despite the fact that many governments are doing little or nothing at all. These groups are running shelters on dollars a day. They are

freeing victims from the most horrific abuse imaginable. They are the women and men on the front line of this fight. But as is often the case in places where poverty and corruption hinder the good intentions of committed people, a lack of resources and capacity are insurmountable roadblocks to those seeking to save victims from exploitation and bring their traffickers to justice.

In addition to our robust diplomatic efforts, this is another area where the Trafficking in Persons Office is making a difference, though our International Programs foreign assistance funds. In the last two years, my office received 998 applications for assistance from 546 organizations requesting a total of $547 million. We know that it will never be possible to give every organization the help they want. And we know that we have a responsibility to be responsible custodians of taxpayer dollars. That's why our office has implemented a rigorous and transparent review process to ensure that every cent of our foreign assistance appropriation is spent responsibly and is put to the use where it will do the most good.

To answer the requests for $547 million which we received through funding applications—the vast majority of which described projects of tremendous merit—our office administered a foreign assistance budget for the last two years of $39.1 million. Based on an estimate that there are up to 27 million victims of trafficking worldwide, that funding total provides a little more than 72 cents per victim per year. This year's solicitation is out, and we hope to receive innovative and impactful proposals.

The country-specific tier rankings and diagnostic assessments included in the *TIP Report* help us determine where we should be allocating these funds. To maximize the impact of our efforts, we identify priority countries for programming. We generally target our foreign assistance to Tier 3, Tier 2 Watch List, and, in some cases, Tier 2 countries. This linkage demonstrates that the *Report* isn't just an exercise in finger-pointing at countries that aren't doing a good job, but is an important tool for determining where our foreign assistance dollars can be used most effectively.

These are not places where a wealth of resources is available to fight human trafficking. If we were to suddenly pull the plug on the projects we support, there wouldn't be another organization waiting in the wings to take over the provision of victim services. There wouldn't be another source of funding to keep training prosecutors and police officers. In many countries, if the little funding we are able

to give were to disappear, those programs would simply cease to exist. In those places, there would be no place for victims and survivors to go.

It was four months ago today that we released the 2011 *TIP Report* and that Secretary Clinton called for a decade of delivery. If the Trafficking in Persons Office is no longer able to stand with those organizations making a difference on the ground, the decade of delivery is already in danger of failing. If the anti-trafficking movement loses the fight in Washington, in the halls of Congress, we could lose that fight everywhere else as well.

We cannot balance the budget on the backs of trafficking victims. If we try to do so, from some misplaced sense of proportion with across-the-board cuts to an already tiny budget, we put at risk all the progress made over the last decade.

This crime continues to present a monumental challenge. But there's still much reason for hope. We want the 2012 *Trafficking in Persons Report* to be a report about more and more success stories. We want it to tell about governments living up to their responsibilities. We want it to describe effective partnerships with robust civil society. We want this *Report* to show the struggle against modern slavery moving in the right direction. Because this *Report* is not merely a reflection of what foreign governments are doing to combat this heinous crime. It is a reflection of American leadership around the world.

Human trafficking is a threat to our security and an offense to our most important values. But more importantly, as Secretary Clinton has said, "fighting slavery is part of who we are as a nation." We have a responsibility to act against this crime. We must not—will not—shrink from that responsibility.

Thank you, and I look forward to answering any questions you have.

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Mr. SMITH. Ambassador Blake.

STATEMENT OF THE HONORABLE ROBERT O. BLAKE, ASSISTANT SECRETARY OF STATE, BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ambassador BLAKE. Mr. Chairman, Representative Payne, Representative Turner, I welcome the opportunity to speak with you today regarding trafficking in South and Central Asia. I am honored to do so in the company of my colleagues, Ambassador CdeBaca and Joe Yun. I have a longer statement that I will submit for the record.

Mr. SMITH. Without objection, that will be made part of the record.

Ambassador BLAKE. Mr. Chairman, first of all let me say how much I appreciate your leadership, the work of this subcommittee, and the focus that you bring to the issue of trafficking in persons. I have made it a personal priority to address trafficking in persons in the SCA region in close partnership with Ambassador CdeBaca. I have done so through direct advocacy with governments, but also by visiting with the many fine NGOs on the ground doing good work to combat trafficking, and frequently recording short video interviews with them that my staff posts on YouTube to publicize their work and the scope of the challenges that they are dealing with.

Mr. Chairman, I am proud to say that our engagement has produced dividends and progress, but significant challenges still remain. The Department upgraded four SCA countries this year from Tier II Watch List to Tier II, India, Sri Lanka, Kazakhstan, and Tajikistan. Three remain on the Watch List, but we are making progress in all three, Bangladesh, Maldives, and Uzbekistan. And only one country is on Tier III, Turkmenistan.

I would like to briefly touch on the situation in some of the key countries where I have been personally engaged. First, India. Mr. Chairman, I know you share our interest in seeing continued progress in India on anti-trafficking efforts. The Department's upgrade of India to Tier II this year was based on the government's increased efforts to address the trafficking problem, particularly bonded labor. Specifically, the government increased law enforcement efforts through the establishment of over 80 anti-human trafficking units. It ratified the U.N. TIP protocol. It achieved landmark convictions against bonded labor traffickers, with punishments of significant prison sentences, and increased rescue and rehabilitation efforts of thousands of trafficking victims in many parts of India. This good work continues at both the state and Federal levels.

Tajikistan is another country that has made commendable progress against trafficking, and Secretary Clinton noted that on her recent trip there last weekend. In 2011, Tajikistan was upgraded to Tier II for addressing the use of forced labor in its annual cotton harvest through efforts such as accrediting and assisting NGOs to monitor the harvest. They also prosecuted and convicted the first trafficking offenders under their new anti-trafficking provision.

Kazakhstan also was elevated to Tier II this year. The Kazakh Government increased law enforcement efforts against human trafficking, it passed a law strengthening penalties for convicted child sex trafficking offenders, and the Ministry of Internal Affairs has drafted a law that allows trafficking victims to have a legal advocate that expands the scope of trafficking-related crimes and increases legal protections for minors subject to forced labors.

Mr. Chairman, you asked about Uzbekistan. It presents a mixed picture. The government has made good progress in combating sex trafficking, but has been slow to address the use of forced labor, particularly in the annual cotton harvest. In March 2011, the Government of Uzbekistan created an interagency working group tasked with ensuring compliance with all 13 ILO conventions to which Uzbekistan is a party. Our Embassy in Tashkent will be monitoring the Government of Uzbekistan's actions to uphold these commitments, and I will continue to engage the government to make progress on this important priority.

Mr. Chairman, the trafficking report has been an impetus for this change in all of our region, but it is only one of the tools that we have at our disposal to influence the anti-trafficking efforts of other countries.

Reports from international NGOs have sometimes been instrumental in informing and compelling action on TIP. My Bureau and Ambassador CdeBaca's team greatly value such input, and we have tried hard to foster a cooperative relationship with these institutions. We influence them and they influence us by information sharing to make sure that our efforts are complementary and that we make the most impact on the ground. Governments remain extremely interested to know where they will be ranked in the report when it comes out in June.

But I think that the work that we do to consistently engage and influence people at every level of society is equally significant. For example, the exchange programs and workshops that we sponsor to train government officials in implementation are critical to realizing the potential of the new laws being passed. The training programs with police officers or border guards to sensitize them about potential trafficking in persons victims are also vital. So I want to assure you that we value the resources that we are entrusted with by Congress, and we work very closely with Ambassador CdeBaca and his staff to implement the programs to make a positive and lasting impact.

In summary, Mr. Chairman, the SCA region is moving closer to being compliant with internationally recognized anti-TIP standards, but there is much more work to be done. This will continue to be a personal priority for me and a priority for my Bureau. So again, I thank you for this opportunity to address this subcommittee, and I look forward to your questions.

Mr. SMITH. Ambassador Blake, thank you very much.

[The prepared statement of Mr. Blake follows:]

Statement of
Robert O. Blake, Jr.
Assistant Secretary of State
Bureau of South and Central Asian Affairs

Before the

House Foreign Affairs Committee
Subcommittee on Africa, Global Health, and Human Rights

October 27, 2011

Chairman Smith, members of the committee: Thank you for inviting me, I welcome the opportunity today to speak with you regarding trafficking in South and Central Asia. I'm honored to do so in the company of my colleagues, Ambassador Louis CdeBaca and EAP PDAS Joseph Yun.

I will briefly address some of the underlying issues contributing to trafficking I have seen in the region, discuss our efforts and outline our successes and challenges.

Underlying Issues Contributing to Trafficking

The SCA region faces numerous challenges that give rise or contribute to TIP problems. Some of the countries in the region are among the poorest in the world and their people are vulnerable because of weak rule of law, underdeveloped institutional capacity, corruption, caste discrimination, and the understandable propensity of the poor to migrate in search of economic opportunities elsewhere that make them vulnerable to exploitation. Despite these challenges, Ambassador CdeBaca and I have worked together closely on TIP issues in all SCA countries and have made progress. I am committed to advancing our human rights agenda and I have engaged personally on TIP issues in all of my bilateral meetings; including all of the Annual Bilateral Consultations we hold with Central Asian countries. These conversations are not always easy, but our partners in Government and in the NGO community in SCA countries know that we are here to partner with them. We use the TIP Report as a tool to focus our efforts on areas that require improvement. I believe these efforts have contributed to an overall positive trend in the region towards legislation that is compliant with the minimum

standards and an increased awareness of forced labor as part of the TIP problem that must be addressed.

In addition to these broader trends, as requested by the committee, I would like to outline the progress we have seen and the challenges that remain in SCA countries of particular note beginning with South Asia and moving on to Central Asian countries.

South Asia

India

The Department was able to upgrade India for the first time to Tier 2, from the Tier 2 WatchList, where it has stayed since 2004 when I was still the Deputy Chief of Mission in Delhi working on these matters. India is today one of our most important partners, and a large and complex democracy that is increasingly committed to stopping exploitation of vulnerable people. The Government of India and State governments have taken significant steps in their anti-TIP efforts, responding both to international attention to TIP issues and India's own robust civil society that seeks social justice and reform.

The Department upgraded India to Tier 2 in the 2011 TIP Report because of the government's greater resolve combating its trafficking problem, particularly bonded labor. The Government of India increased law enforcement efforts through the establishment of over 80 Anti-Human Trafficking Units, ratified the UN TIP Protocol, achieved landmark convictions against bonded labor traffickers with punishments of significant prison sentences, and increased rescue and rehabilitation efforts of thousands of trafficking victims in many parts of India.

India's anti-TIP efforts have continued since the publication of the 2011 TIP Report. At the federal level we have seen efforts by the Ministry of Labor, which called for all state labor secretaries to appoint nodal officers to tackle forced child labor and bonded labor. The Ministry of Home affairs has also been instrumental in broadly recognizing the anti-TIP contributions of one judge of the Mumbai court (who has taken over and cleared hundreds of sex trafficking cases and issued rehabilitation orders for 1,200 rescued women and girls) and has asked Judge Swati Chauhan to share her anti-trafficking court model widely across India. Bonded labor remains a persistent and difficult challenge in India's anti-trafficking agenda in all jurisdictions but in August, the National Commission for the Protection of Child Rights announced a new cell to focus government efforts on the elimination of bonded labor.

At the State level, West Bengal set up missing persons bureaus in every police district and within the railway police in part to curb trafficking. In

Karnataka, police collaborated across state borders with the Tamil Nadu police to rescue bonded laborers from Karnataka.

Although this progress is clear, our hard work continues. Our embassy and consulates are intensively engaged with national, regional and local counterparts to combat TIP We look for additional opportunities to partner with the Government of India to continue progress and offer our assistance to those in need through G/TIP-funded programming. Our staff works closely with G/TIP and implementing agencies to craft programs that meet the needs of the most vulnerable and address the "three P" paradigm of Protection, Prevention and Prosecution.

Bangladesh

I also wanted to briefly discuss Bangladesh as the Secretary specifically noted in her remarks introducing the 2011 TIP Report the legislative work Bangladesh has engaged in to combat trafficking. Historically, Bangladesh has been one of our most supportive partners, and I'm happy to report the Government has drafted a comprehensive anti-trafficking law that, if passed, will increase legal protections for trafficking victims, especially male laborers who have heretofore not been covered under legislation. Bangladesh has also enacted the "Vigilance Task Force" which has had some success shutting down and provisionally suspending the operations of several recruiting organizations involved in trafficking.

Difficult problems that contribute to trafficking remain, including scarce resources, corruption and economic dependence on remittances from foreign laborers. Bangladesh lacks funds to effectively protect its population from being exploited by human traffickers, but actively encourages countries to accept more Bangladeshi workers. Because of this dependence, the Government of Bangladesh is often reluctant to damage its relations with destination countries by calling for greater protections for its citizens. More recently, Bangladesh chaired a meeting on "the Colombo Process" which is an effort by labor-sending countries to improve conditions for their workers through a dialogue with labor-receiving countries. We see this as positive sign that although the Government of Bangladesh is heavily reliant on remittances; it is taking steps to ensure the conditions for Bangladeshi workers abroad. Until the draft law is passed, the lack of statutory provisions that protect male laborers from exploitative recruiting practices will remain a significant weakness in worker protections.

The Maldives

The Maldives also has serious TIP issues and is in danger of an automatic downgrade to Tier 3 in 2012. But, senior officials from President Nasheed to Foreign Minister Naseem have uniformly expressed to me and others their desire to work with us to bring TIP under Maldivian law. This is consistent with the leadership in international forums such as the UN Human Rights Council to address international human rights issues. To that end, a new anti-trafficking law has been drafted and is ready to be submitted to parliament. This will be an important step. But there will be more to do to, for example, create a referral mechanism and shelters for trafficking victims.

Nepal

Nepal has been another country that has taken serious measures to address TIP. During the past five years Nepal has gone from being a country that only recognized the trafficking of young women to brothels in India to a country that in 2007 passed a fairly comprehensive anti-trafficking law, the Human Trafficking Transportation Control Act (HTTCA), which is closely in-line with the Palermo Protocol. This law, for the first time, recognized that domestic trafficking and non-sex industry exploitation could also be defined as trafficking. The HTTCA, along with foreign employment law and children's rights laws, work together to address most forms of trafficking and have moved Nepal closer toward compliance with the minimum standards. Nepal also established, in 2009, a national coordinating body, the National Committee to Combat Human Trafficking (NCCHT). The NCCHT includes members of civil society, government, and trafficking survivors.

Challenges remain as Nepalis themselves acknowledge. Rule of law is still weak in Nepal, due in part to corruption, limited resources, and lack of public awareness about citizens' rights. Greater protections for witnesses and victims in TIP cases would go a long way to helping see that justice is served in a timely fashion. The law enforcement community in Nepal is still learning how to implement the HTTCA.

Increased collaboration and coordination is being improved by USAID's Combating Trafficking in Persons (CTIP) project, which has provided a Senior Technical advisor to the NCCHT. Furthermore, the USAID project has helped develop national minimum standards for rehabilitation centers and the investigation and adjudication of trafficking cases, for which the lead government ministry is taking ownership.

This year G/TIP selected NCCHT member Charimaya Tamang, herself a trafficking survivor, as one of ten world-wide TIP Report Heroes for her work on

the NCCHT and on protecting trafficking survivors through her organization Shakti Samuha. Secretary Clinton met Mrs. Tamang during the 2011 TIP Report rollout, a moment celebrated by the government, media, and public in Nepal.

Central Asia

Kyrgyzstan

Over the past ten years, the government of Kyrgyzstan has made significant strides in the fight against trafficking in persons, from a point of almost no cooperation with NGOs, to the present, when there is an environment of open cooperation with NGOs, as well as a legal framework that provides for investigating and prosecuting trafficking in persons. The government provides the real estate for three shelters for trafficked persons. It also provides a well known three-digit hotline to report trafficking. More recently, the Kyrgyz government amended the current national law against trafficking in persons to increase the maximum punishment to five years imprisonment.

Tajikistan

Tajikistan is another historically challenging state that has made commendable progress against trafficking. In 2011, Tajikistan was upgraded to Tier 2 for addressing the use of forced labor in its annual cotton harvest. This was an important step forward. Specific efforts included accrediting and assisting NGOs to monitor the cotton harvest and meeting with local government and school officials along with the International Organization for Migration and Tajik NGO representatives to reiterate the government's prohibition against forced child labor. The new level of commitment was evidenced by the government's success in prosecuting and convicting the first trafficking offenders under the new anti-trafficking provision and instituting quarterly meetings to coordinate anti-trafficking activities with government partners. These gatherings highlighted the greater focus that this issue is receiving from senior levels of the government.

While Tajikistan has made significant progress; there is still room for improvement. Out of a population of nearly seven million, an estimated one million labor migrants voluntarily migrate, most frequently to Russia and Kazakhstan, where some are subjected to forced labor conditions. The 2011 TIP Report recommends the Government of Tajikistan develop a formal victim identification and referral mechanism as well as victim sensitivity training for border guard and law enforcement authorities to directly address the vulnerabilities

of migrant laborers. As with the majority of Central Asian states, there remain instances of forced or child labor in the annual cotton harvest, but the Government of Tajikistan has begun to effectively enforce the prohibition against forced labor by monitoring schools and inspecting cotton fields during the harvest.

Turkmenistan

Turkmenistan is SCA's only country on Tier 3, but has made some recent efforts that I would like to share with the subcommittee. I have new reporting from our Embassy in Ashgabat that three people were prosecuted for trafficking offenses under Article 1291 in August, which is a significant development. The government registered a shelter for victims of trafficking in September and approved a United Nations Office on Drugs and Crime (UNODC) project to draft legislation protecting victims' rights, train law enforcement in the identification of TIP cases, and develop a partnership plan for the government and NGOs. UNODC's Executive Director will visit in November, at which time he will press for an action plan.

Uzbekistan

Uzbekistan is a mixed picture. The government has made good progress in combating sex trafficking, but has been slow to address the use of forced labor, particularly in the annual cotton harvest. In March of 2011, the Government of Uzbekistan created an Interagency Working Group tasked with ensuring compliance with all 13 ILO conventions to which Uzbekistan is a party. Our Embassy in Tashkent will be monitoring the Government of Uzbekistan's actions to uphold these commitments and I will continue to engage the Government to make progress on this important priority.

In summary, the South and Central Asian region as a whole is moving closer to being compliant with internationally-recognized anti-TIP standards, but there is much more work to do. This will continue to be a personal priority for me and a priority for my bureau. Thank you again for the opportunity to address this subcommittee. I look forward to your questions.

Mr. SMITH. Mr. Yun.

STATEMENT OF MR. JOSEPH Y. YUN, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. YUN. Mr. Chairman, Ranking Member Payne, Representative Turner, thank you for the opportunity to appear before you today to testify on trafficking in persons in East Asia and the Pacific region. I have submitted a statement for the record.

With your permission, I would like to make a few summary remarks. First of all, regrets to convey from Assistant Secretary Campbell. He wanted to be here, but he had to be traveling at the last minute. So I think in fact as we are speaking, he is landing in Dulles.

Human trafficking and modern slavery reaches into every corner of the globe, but perhaps nowhere more so than in East Asia and the Pacific. According to the International Labor Organization, the incidence of forced labor and sex trafficking is higher in the Asia-Pacific region than anywhere else in the world. And according to the United Nations Office on Drugs and Crimes, victims from Asia are trafficked to the widest range of destinations around the globe.

In addition to being trafficked overseas, many victims are trafficked within their own countries. In fact, the UNODC reports that most trafficking is national, not international, and is carried out by traffickers whose nationality is the same as their victims, and within national borders.

While human trafficking remains widespread and serious, we do believe that TVPA, our TIP report, and its associated activities have been effective in fighting trafficking in persons in East Asia and the Pacific.

There are several success stories I would like to share with you. Taiwan is one example of how information in the TIP report has led to real reform in many aspects of fighting TIP, including implementation of stronger anti-trafficking laws, better protection for victims, and increased prosecutions. In 2006, Taiwan was ranked in TIP report as Tier II Watch List, was upgraded to Tier II in 2007, and in 2010 was upgraded again to Tier I, where it remained this year.

The Philippines also has potential to serve as a model in the region for its recent efforts to combat TIP. After 2 consecutive years as Tier II Watch List, and facing an automatic downgrade, the Philippines was upgraded to Tier II in 2011. The number of prosecutions of traffickers in the Philippines increased greatly in the last reporting cycle. And the government has increased the resources it devotes to combat trafficking, and has begun to identify and punish corrupt officials linked to trafficking. The government has acknowledged these efforts were linked to the threat of a downgrade to Tier III in the TIP report.

Singapore is another example of a country in our region that has potential, moving up from Tier II Watch List to Tier II in 2011. Singapore has shown a markedly increased awareness of TIP issues in the last year, and the government has formed an interagency task force to address the issue. In 2011, Singapore hosted a workshop for the ASEAN region on criminal justice responses to

trafficking in persons, which was attended by Ambassador CdeBaca as well as other members of my Bureau. And in April 2011, 6 members of Singapore's 20-person interagency task force on TIP traveled to DC to meet myself, Assistant Secretary Campbell, and my colleagues in Ambassador CdeBaca's office. I will stress that it is not the report alone that results in progress, but also the enormous amount of hours spent in country by staff from our embassies and consulates abroad, who engage year-round with the whole of government. Our advocacy in Washington with those countries' ambassadors and embassy teams has also made a difference.

Mr. Chairman, we are only too well aware the problem remains. We have worked very closely with Ambassador CdeBaca, who has made a number of trips over the last few months to our region, and we remain committed to working with G/TIP office as well as other international organizations fighting human trafficking.

Thank you, Mr. Chairman. I look forward to answering any questions you might have.

Mr. SMITH. Mr. Yun, thank you very much for your testimony.

[The prepared statement of Mr. Yun follows:]

Statement of
Joseph Y. Yun
Deputy Assistant Secretary
Bureau of East Asian and Pacific Affairs
U.S. Department of State

Before the

House Foreign Affairs Committee
Subcommittee on Africa, Global Health, and Human Rights

October 27, 2011

Trafficking in Persons in East Asia and the Pacific

Chairman Smith, Ranking Member Payne, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today to testify on trafficking in persons (TIP) in East Asia and the Pacific. I would also like to thank the Committee for its leadership on advancing dialogue on this important issue.

The scourge of human trafficking and modern slavery reaches into every corner of the globe, but perhaps nowhere more so than in East Asia and the Pacific. According to the International Labor Organization, the incidence of forced labor and sex trafficking is higher in the Asia-Pacific region than anywhere else in the world. And according to the United Nations Office on Drugs and Crime (UNODC), victims from Asia are trafficked to the widest range of destinations around the globe. In addition to being trafficked overseas, many victims are trafficked within their own countries. In fact, the UNODC reports that most trafficking is national (not international) and is carried out by traffickers whose nationality is the same as their victims' and within national borders.

The most commonly identified form of human trafficking is sex trafficking, defined as the act of coercing, forcing, or deceiving a person into prostitution, or keeping a person in prostitution through coercion. Inducing a child into prosecution is also defined as sex trafficking under the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, even when coercion, force, or deception is not involved. Sex trafficking can also be the result of debt bondage, where women and girls are forced to stay in

prostitution until they are able to pay off the unlawful debts they have supposedly incurred through their transportation or recruitment. The ILO estimates that 79 percent of identified trafficking victims are women or girls. In most countries in the Asia-Pacific region, the trafficking of women and children for sex is a widely recognized problem, and the laws and regulations are targeted to these particular groups of victims. Other, less-recognized forms of trafficking, such as the trafficking of men and forced laborers, may be under-reported because current laws do not readily facilitate the identification of victims of these forms of trafficking or allow for the prosecution of their traffickers.

Countries should strive to combat all forms of trafficking using the three "P" approach: punishment, prevention, and protection. To that end, with regard to sex trafficking, there are many examples of governments in the Asia-Pacific region taking steps to combat trafficking using this approach.

In Indonesia, for example, the government has shown progress in punishing traffickers. At a two-day seminar on child sex trafficking held in Manado, Indonesia in October 2011, the head of the Police Women and Children's Unit delivered a powerful presentation outlining the work her unit had accomplished on TIP, graphically demonstrating that despite limited resources, she was able to investigate and refer for prosecution dozens of cases, rescuing more than 100 TIP victims. From 2007 to 2010, her unit had worked on more than 66 cases involving 71 adult and 80 child victims, leading to the arrest of 96 offenders and the prosecution of more than 21 trafficking cases. Each year, the number of cases under investigation and the number of victims rescued has grown. On the prevention front, Japan has made great strides. At the peak of Japan's trafficking problem in the middle of the last decade, entertainer visas provided the main means of entry for trafficking victims. The government's TIP-cognizant screening procedures have vastly diminished the entertainer visa program; while about 135,000 entertainer visas were issued in 2004 alone, there were fewer than 11,000 foreigners in Japan on this type of visa in 2009.

In the area of victim protection, recent raids by Thai police have rescued sex trafficking victims from neighboring countries and Central Asia. And in Malaysia, the government recently allowed an independent assessment of its shelters for sex trafficking victims. As part of a regional

program funded by the Department of State's Bureau of Population Refugees and Migration to assess the needs of vulnerable migrants, the International Organization for Migration conducted a study of five government and NGO-run shelters and made recommendations to the Malaysian government. As part of this study, a local NGO also conducted a mental health assessment of trafficking victims in shelters. Although the studies found much room for improvement in caring for victims, the fact that the government allowed this independent assessment and formulation of recommendations is an important step towards confronting a crucial area of needed improvement with regards to victims' care and protection.

It is important for countries in the Asia-Pacific region to not only continue to fight the already widely-recognized problem of sex trafficking – and as I have just laid out, we have seen great progress in this fight in the region – but also to identify other forms of trafficking and ensure that there are laws in place to combat them. Countries should strive to prevent all form of trafficking, punish the traffickers, and protect the victims. The current trafficking trends we are seeing in the region – outside the realm of sex trafficking – especially involve forced labor in the fishing industry and for domestic workers.

Although countries in the East Asia–Pacific region continue to suffer from these abuses of human liberty and dignity, we must acknowledge the real progress that countries in the region have made in a relatively short amount of time to combat human trafficking. Since the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, also known as the Palermo Protocol, entered into force in 2003, the number of countries in the region to implement its provisions has more than doubled. Most anti- trafficking legislation in the region is recent, reflecting a newly understood need to adopt such legislation. According to a 2009 study from UNODC on human trafficking, 23 of the 27 Asian and Pacific countries that contributed information to the report had adopted anti-trafficking legislation, and 10 of those countries had passed new legislation or modified old provisions between 2005 and 2008, demonstrating the progress many countries in the region have made in the last few years. For example, Vietnam passed its Anti-Human Trafficking Law in March 2011 and is currently in the process of drafting decrees and circulars to direct implementation of the new law. In addition, earlier this year, Vietnam allocated $13.5 million for the implementation of its five-year National Plan of Action for Trafficking. Allocation of funds from the state budget for anti-

TIP activities demonstrates a clear willingness to accept ownership of the issue.

The UNODC report also indicated that the number of convictions against human traffickers is increasing in East Asian and Pacific countries, probably as a result of these new and updated laws. Let me give you some examples. In recent years, the Royal Government of Cambodia has given increased priority to TIP-related cases within its judicial system. The Phnom Penh Municipal Court (PPMC) reportedly tried 118 TIP cases in the first nine months of 2011, compared to 116 in all of 2010. In addition, Cambodia's first case against an official accused of TIP-related corruption, Eam Rattana, is currently underway, with the trial expected to begin by the end of November. The ongoing case against a second official accused of TIP-related corruption is still under investigation.

The Government of Laos reported that during the 2011 TIP Report assessment cycle it investigated 20 trafficking cases and convicted 33 trafficking offenders. These results represent a dramatic increase from zero convictions.

In Thailand, the Department of Special Investigations is currently expanding its Anti-Human Trafficking Unit from 10 to 70 persons and is seeking to better address local-level corruption, which continues to affect efforts to successfully arrest and convict TIP perpetrators.

In Malaysia, police continue to rescue victims from traffickers, with over a hundred rescued since January. Most recently, police broke up a trafficking ring that brought women from Uganda under the pretense of work or study opportunities and then forced them into prostitution; on October 14, 2011, police rescued 21 women from this ring and arrested the suspected traffickers.

In Indonesia, Surabaya Metro Police arrested Afif Muslichin and Endry Margarini in January 2011and charged them with trafficking underage girls via social networking connections. In July, the Surabaya State Court sentenced Afif and Endry to 3.5 years in prison for employing underage sex workers. At the same time, NGOs provided assistance to victims, including counseling, witness protection, and other services, and also persuaded the victims to return to school. Surabaya's government showed commitment in

response to this case; the mayor regularly visited the victims and provided them financial and psychological support.

In Burma, as the UN Special Rapporteur on the Human Rights Situation in Burma Tomas Ojea Quintana noted following his August 2011 visit, the government is undertaking a number of activities to combat human trafficking. In 2011, the Burmese Government extended its five year anti-human trafficking program up until 2016, increased anti-trafficking units in 22 to 26, and established a national telephone hotline.

And finally, the Government of Brunei announced plans in April 2011 to form an anti-TIP police unit and the completion of judicial proceedings in its first prosecution.

Now I would like to discuss some of the trends in human trafficking in the East Asian and Pacific region. Asian-Pacific governments across the region are working to combat these trends, and the Department of State and our embassies and consulates abroad are helping to support their efforts.

Let me begin with forced labor. Forced labor refers to work or service that is undertaken involuntarily by use or threat of force or serious harm. Such harm is generally either physical or financial, involving sexual or physical violence or restraint, but in some circumstances can also be economic such as non-payment of wages or debt bondage schemes. There can be many indicators of forced labor, including the withholding of workers' passports, implied threats of deportation, or threats of exclusion from community or future employment.

In recent years, many countries in East Asia and the Pacific that already had a strong infrastructure to fight sex trafficking have taken steps to recognize the problem of labor trafficking and to combat it. In Malaysia, for example, government officials have spoken recently in the press about the need to focus more on labor trafficking. On September 10 of this year, a senior Home Ministry official spoke to a leading daily about the fact that many cases of trafficking in Malaysia involve forced labor, not only commercial sexual exploitation, and about the need to address these cases.

The Malaysian government also recently launched a program to register migrants, one aim of which is to help the government curb worker

exploitation by gathering information on how many workers are employed in which sector and by whom.

In Taiwan, the Council on Labor Affairs (CLA) continued to operate 25 Foreign Worker Service Stations and International Airport Service Counters to assist migrant workers and educate them on their rights. Authorities also distributed handbooks detailing relevant laws and regulations on foreign workers to more than 190,000 employers and aired television commercials highlighting the rights of migrant workers. Officials also funded TV, radio, and newspaper advertisements and education programs raising awareness of the perils of trafficking.

In Vietnam, the government has increased efforts to sanction labor recruiting companies that engage in illegal practices and to provide pre-departure training for overseas workers to educate them about their legal rights, employment contracts, language and cultural information for the destination country, and contact information in the event a worker encounters problems.

Also in Japan, a government order regarding the Industrial Trainee and Technical Intern Program that entered into force in July 2011 banned the practices of requiring deposits from applicants to the program and imposing fines for "misbehavior" or early termination. The new rules require increased oversight of receiving companies and extend the protections of the Labor Standards Office to all participants in the program. There have not been reports, however, of the government's prosecution of forced labor offenses committed with the trainee and intern program.

Also in the realm of labor trafficking, we are seeing more and more the need to protect domestic workers from abuses at the hand of their employers. There are millions of women who have entered or departed Asian-Pacific countries to work as domestic workers overseas. Because most countries exclude domestic workers from provisions in their labor laws protecting workers, domestic workers are very vulnerable to trafficking and have few remedies against exploitative work conditions. According to Human Rights Watch, domestic workers are also at increased risk of abuse because of many countries' restrictive visa-sponsorship regulations that link their visas to their employers, giving employers control over workers' immigration status and ability to change jobs if they face abuse.

Many countries in East Asia and the Pacific are working to expand protections to domestic workers. For example, on October 15 Cambodia suspended all new recruitment due to reports of labor recruiting companies engaging in illegal practices amounting to trafficking in persons in Cambodia, and over concerns over abuse of domestic workers in Malaysia. Active investigations into recruiting agencies for illegal trafficking are underway in Cambodia several arrests have been made, and there has been one prosecution. On September 21, the Phnom Penh Municipal Court sentenced a recruiting company employee to four years in prison for abduction and confinement of trainees. Furthermore, the Ministry of Labor has made assurances that migration for domestic work will not be reinstated until better mechanisms for control are in place. Ministry of Labor officials are currently working with international organizations and NGOs – and seeking assistance from the U.S. government – to write the regulations related to Cambodia's new sub-decree on Migrant Labor. The Ministry of Labor hopes to use this suspension of new recruitment as leverage to convince Malaysia to sign a proposed Memorandum of Understanding with Cambodia.

In Indonesia, according to the Anti-Trafficking Task Force at the Attorney General's Office, the District Court of Dompu, West Nusa Tenggara is adjudicating a high-profile case of trafficking involving a domestic worker who was sent to Saudi Arabia and abused by her employer. The director and an employee of the recruitment agency were charged with document and age-falsification under Indonesia's anti-trafficking law. Prosecutors are seeking a six-year prison sentence.

East Asian and Pacific countries also face serious human trafficking problems within the fishing industries, where allegations of forced labor and abuses aboard commercial fishing vessels are frequent. In a 2009 survey from the United Nations Inter-Agency Project on Human Trafficking (UNIAP), more than half of the surveyed Cambodian migrants trafficked onto Thai boats said they had seen their captains killing one of their co-worker.

Most trafficked fishermen are placed on boats going to foreign waters, as it is easier to traffic workers who will be out to sea for longer periods of time. There have been recent reports of Burmese and Cambodian men being trafficked onto Thai fishing vessels. During her visit to Thailand in August 2011 at the invitation of the Thai government, the UN Special Rapporteur on

Human Trafficking, Joy Ezeilo, recounted the growing evidence of increased trafficking in the fishing industry in Thailand and stated that Thailand has long been a hub for human trafficking for the sex industry and forced labor.

Thailand has taken steps to address these problems, including passing an Anti-Trafficking in Persons Act in 2008, and establishing teams in every province in the country to fight trafficking. Sirirat Ayuwathana of the Thai Ministry of Social Development and Human Security, which is in charge of preventing trafficking within Thailand, has publicly announced that authorities are aware of and concerned about the problem and plan to set up a commission to work on registering all fishing boats and crew members. The Special Rapporteur acknowledged that Thailand had safeguards in place, but must implement them effectively.

There were also recent allegations of abuse from crew members of two South Korean-flagged foreign commercial vessels in New Zealand waters. The workers alleged they were forced to work under slave-like conditions and their wages were withheld. In response to these allegations, the Government of New Zealand acted swiftly, and launched a Ministerial inquiry in July 2011 to investigate the allegations and is expected to make its final report at the end of February 2012.

One of the keys to fighting trafficking in persons not just in Asia, but around the world, is increased international cooperation. As the traffickers globalize their operations and learn to cooperate with each other to increase their profits and stay ahead of their would-be prosecutors, governments must also work together and with civil society to fight trafficking. The Department of State recognizes the importance of working with host governments to support their efforts to fight TIP. Our embassies and consulates abroad coordinate with host governments and non-governmental organizations in a number of ways, from organizing conferences and training programs, to inviting experts and speakers to speak publicly to audiences, to sponsoring the exchange of information through the International Visitor Leadership Program and awarding grants to fund anti-TIP programs or campaigns. I would like to mention a few examples of our coordination with governments in the region to combat TIP.

In Singapore in August of this year, in conjunction with the Singapore Police Force, U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE HSI) sponsored a Trafficking in Persons and

Child Exploitation Workshop. Trainers for the event came from ICE HSI, U.S. Department of Justice, U.S. Department of State, Australian Federal Police, and Singapore's Attorney General's Chambers and included an academic consultant, Dr. Sallie Yea. There were over 50 attendees at the three-day training session, which included participants from the Singapore Police Force, the Trafficking-in-Persons Inter-Agency Taskforce, Immigration and Checkpoints Authority, the Ministry of Manpower, and the Ministry of Community Development, Youth and Sports. In addition to the government training, ICE HSI provided a three hour workshop for local non-governmental organizations that engage in anti-trafficking activities. Thirty attendees from three NGOs attended training focused on trafficking victim care and assistance.

In Thailand, a public-private partnership between USAID and MTV helped to raise awareness about human trafficking among nearly five million Thais using a June documentary titled "Enslaved"; establishing a creative youth forum, and holding a concert in Chiang Mai featuring some of Asia's most popular performers.

The ICE HSI Office of International Affairs Attache Office in Thailand works closely with police, local NGOs, and victims, to investigate and prosecute American citizens involved in trafficking, including for child sex tourism. In addition, the U.S. government funds programs implemented by NGOs and international organizations targeting trafficking prevention, protection, prosecution, and policy advocacy. The programs assist with capacity building, public awareness campaigns, protection and legal assistance for victims, creating alternative occupations for victims, operation of emergency shelters for victims, providing return and reintegration assistance, supporting the International Visitor Programs, and conducting research into labor recruitment, forced labor, and victim screening.

Our embassy in Kuala Lumpur recently co-sponsored a trafficking-in-persons reporting conference for journalists in Sabah, a critical area of Malaysia prone to trafficking. This successful training opportunity for journalists highlighted U.S. steps against trafficking and our support to Malaysian anti-TIP efforts. The embassy estimates that at least one million Malaysians viewed coverage of the conference in a variety of media outlets. The involvement of both Malaysian and U.S. officials in the training sessions also demonstrated our continuing commitment to partnering with the Malaysian government in its efforts. The conference provided

information and resources to increase journalists' capacity for more accurate and ethical reporting of TIP cases, emphasizing the role of the media and raising the level of public awareness surrounding these issues. Malaysian prosecution and investigation officials also highlighted such advances in anti-TIP efforts such as increased interaction and joint training with NGOs as well as interagency guidelines for enforcement, prosecution and protection officers.

China's ratification of the "Palermo Protocol" in November 2009 was a positive sign, although China has not yet completed all of the requirements, such as amending domestic law and legal definitions, it needs to meet its obligations under the Palermo Protocol. The government has created an overarching body, the Inter-Ministerial Office Against Human Trafficking, to better coordinate government strategy. Non-government organizations working on anti-trafficking in China report that the number of training programs for front-line law enforcement and those who work with victims is increasing. According to Chinese government statistics, prosecutions for human trafficking increased in 2010, as did the number of sentences of five years or more for trafficking-related offenses. China's law enforcement agencies are also expanding cooperation with other countries on cases involving foreign nationals in China and Chinese nationals abroad. United Nations Children's Fund (UNICEF) officials reported that the Chinese government had "fundamentally changed its considerations" by recognizing the full range of needs for children victimized by, or at increased risk of victimization from, human trafficking. Also, UNICEF officials spoke positively of the efforts by the Ministry of Civil Affairs, under its current model of victim care, to provide services to exploited children. The Chinese will publish their next five-year National Plan of Action next year that we hope will clarify their priorities and strategy for combating trafficking in persons.

Finally, at the fourth U.S.-ASEAN Senior Official's Dialogue on Transnational Crime on July 28 in Singapore, ASEAN officials reiterated their interest in collaborating on joint U.S.-ASEAN projects. I specifically mention ASEAN cooperation because I believe multilateral efforts to combat TIP are as important as bilateral efforts. We intend to continue working with ASEAN in the future to better combat this problem in the region.

In addition to ASEAN, we also see countries within Asia coordinating among themselves to fight TIP. For example, in March 2011, a delegation

from the Japanese Inter-Ministerial Liaison Committee on Trafficking In Persons visited Thailand and Cambodia, and established a Japan-Thailand Joint Taskforce on Countering Trafficking in Persons. A bilateral procedure on identification and repatriation of Thai TIP victims, the result of three years of discussions, was established and discussions of a mutual legal assistance treaty were furthered.

As you can see, the scourge of human trafficking is a problem affecting many countries in the East Asia-Pacific region, but steps are being taken through the region to combat all forms of trafficking in persons. We continue to work closely with our partners both in government and civil society to support efforts to eradicate this modern day form of slavery.

Thank you for giving me the opportunity to testify before you today. I am pleased to answer your questions.

Mr. SMITH. Let me first begin with a general question. I guess, Ambassador CdeBaca, you might be the one that might want to answer this. What diplomatic efforts did the Department make or undertake to ensure that countries knew that they would not remain on the Watch List for 2 more years, as per the trafficking reauthorization of 2008? And what was the reaction? I mean, were each of those that were currently on watch contacted and fully apprised of their potential downgrading?

Ambassador CDEBACA. Indeed. We did a number of steps, both internally within the Department through all docs and messages out to the field, but then also with that as a tasker for that direct type of engagement. And we saw on the part of a number of countries a recognition that this was kind of long overdue, that countries had gotten perhaps a little comfortable on there.

We saw a recognition on some other countries, especially those such as Senegal or the Philippines or others who are MCC countries, a recognition of what the prospect of a Tier III downgrade might mean not just reputationally, but as far as sanctions, and as far as some of the other assistance and aid and work in the international monetary fora might have on those countries. It was a bit of a wakeup call for some of our partners. And we think that we have seen, as a result of the Watch List designation, some real movement. There were a good percentage of the Tier II Watch List countries moved up to Tier II on the merits.

The waiver issue was never even something that had to be faced because of the work that they had done. And this was not 1-year work, this was work that they had undertaken across those 2 years. We felt that it was important to kick it in after 2 years because of the notion that almost an ex post facto type of situation, even though this isn't a domestic criminal law, but the notion that countries should have fair warning that 2 years on the Watch List would have that result. We also made it very clear what countries would need to do to get waivers. It wasn't a choice. It wasn't saying, you know, you should choose the lesser of two evils, but with the recognition that not every country would necessarily be able to get up to Tier II on the merits, as you and others had recognized in putting the waiver provision in. So there was certainly increased diplomacy that was done at the bilateral level by our ambassadors, by me at G/TIP, but also specific engagement on the part of then-Under Secretary for Political Affairs Burns, now Deputy Burns, and others, who looked at those 37 countries as countries that needed very specific interventions.

And we saw that from the willingness of Deputy Steinberg, the willingness of Under Secretary Burns to have those conversations was very important, we thought, in having these countries move up and off the Watch List.

Mr. SMITH. Thank you. Let me ask you with regards to South Korea, you might recall that we initiated an effort back in early 2002 to try to get a zero-tolerance policy and to do an investigation among our military to see whether or not there was complicity with regards to our deployments in South Korea, and certainly in the former Yugoslavia. And the IG's report from the Department of Defense was very, very damning. And it did lead to Bush's zero-tolerance policy.

I and others have raised repeatedly the issue of the juicy bars in South Korea. I am just wondering why that seems to have been left out of the narrative for this year's report. Have they disappeared? Has the issue largely been mitigated? Or are those still a problem? And as you recall, many of the women who were being exploited there were Filipino women. And I know the Filipino Government took some very aggressive action. I wonder if that has been sustained.

Mr. YUN. I think this issue, as you know, has been an ongoing concern. And USFK in South Korea has made zero-tolerance policy very effective. And my recollection is that I don't think we can say juicy bars have disappeared 100 percent, but the incidence of abuse that went on is much way down.

If you like, Mr. Chairman, we can get more background on the statistics or data we have on that.

Mr. SMITH. I appreciate that, because it does seem to reemerge. I know that Stars and Stripes has done some very fine reporting on that, as have others. But as soon as you think you have it in hand, all of a sudden a new spate of this kind of exploitation emerges. Did you want to touch on that?

Ambassador CDEBACA. Mr. Smith, I was in South Korea a couple of months ago, and in fact went to USFK, and we went through some of these issues directly. One of the things that I was struck with personally was the juxtaposition of those images that we are all familiar with from the undercover reporting that was done by some U.S. reporters of not just our servicemen in active brothels, active strip clubs, not even the euphemism of the juicy bar, but then also the shore patrol type of folks, who were supposed to be there making sure that there wasn't anything untoward going on, telling the undercover reporters how easy it was to go with prostitutes.

Those same street corners, those same neighborhoods that were in that undercover reporting are now nonsexually-related businesses, partially because of the zero-tolerance policy, partially because of the fact there are more families being posted to that area of Korea, and not as many young men by themselves. I think all of it together paints a picture of towns where there used to be nothing but red-light districts, and now there are places where you can take your kids and can get chicken fingers on the menu. I think that has a big effect.

And it is something that happens because USFK, because our Embassy in Seoul, and all of us are not taking our eyes off the ball. But that notion that it can come back if we do take our eyes off the ball is well taken.

Mr. SMITH. Thank you. As you know, according to section 110 of the TVPA, China and any other country can only remain on the Watch List if it has a written plan to begin making significant efforts to bring itself into compliance with the minimum standards, and that the plan, if implemented, would constitute making significant efforts, and the country is devoting sufficient resources to implement that plan.

I am wondering with regards to China, what is China's plan? If you could elaborate on what it is that they said they are willing do. Are they doing it? As you know, and I have raised this before,

we just had a hearing, as you may know, in this committee hearing room just a few weeks ago. We heard from survivors, women, including Chai Ling, all of whom have suffered the gross exploitation of a forced abortion. And the direct consequences of the one-child-per-couple policy has been the missing girls. And some estimates put it as high as 100 million. Nobody knows the exact number. It is generally accepted that by 2020, 40 million, and maybe as many as 50 million, is the newest number we have heard, men will not be able to find wives because they have been subjected to a sex selection abortion.

So the magnet for human trafficking is in ascendancy in China. And I hope any plan that they have submitted or suggested that they will follow pursuant to our not putting them on Tier III, which is where they belong in my opinion, you know, really will take into account the horrific consequences of the missing daughters, the missing girls in China.

In the report before this one, there was more attention, I thought, paid to the component and the contributing actions of the one-child-per-couple policy to trafficking. I think we are going to see bride selling and, frankly, kidnapping, and certainly force, fraud, and coercion used in a variety of ways to bring women into China because of this huge gender disparity. Of course India has one as well, which is egregious, but China's is a direct result of a government policy.

So I am wondering if that is fully understood, is it being conveyed to the Chinese how concerned we are about this terrible and cruel experiment called the one-child-per-couple policy that has rendered brothers and sisters illegal, but it has made sisters scarce? If you could.

Ambassador CDEBACA. I think I will address, Mr. Smith, the waiver issue as far as the plan was concerned. One of the things that we saw from the Chinese this last year is that, of course, there is the written action plan that they have. But perhaps more so, there are a number of other instruments that came out in the ranking period which we thought were very interesting, and in fact were having an impact in a way that we had never seen before from China.

For instance, there was the guidelines that were issued by the Ministry of Public Security and the Supreme People's Court on sentencing issues. This is, again, something that we had seen in the report over the previous years where we had been criticizing the low sentences, a number of guidelines going out to the courts saying you need to bring up the sentencing on this. The idea of better law enforcement. The commitments made for guidelines for shelter staff, for protocols for working on trafficking victims on relief and reintegration. And perhaps, most importantly, a directive to the field that women who were encountered in prostitution should not simply be seen as criminals, but instead should be assumed to be victims of trafficking at the outset of the investigation; that shifting the burden away from the victim, and assuming that they are somebody who needs help was a very positive step. It would be a positive step no matter what country it was in. But especially in the Chinese context, we thought that that was something that was worth noting.

We look forward to working with the Chinese Government over the coming months as they look to bring themselves into compliance with the Palermo Protocols standards. As you know, we have been consistently raising the problem of their trafficking definition, which was so focused on child abduction, doesn't necessarily track the Palermo Protocol.

In our conversations with the Chinese Government, it appears that their academics and their legal technocrats are doing the kind of work that is necessary to start teeing-up legislative changes, and also to put together a new plan going forward, a new 5-year plan.

I think Mr. Yun is going to address some of the other concerns. But I will certainly say that as far as the family issues that you raise, one of the things that I raise when I am in China, and will continue to do so, is this concern that the population planning policies of the Chinese Government is having that contributory effect that you mentioned. And it is twice mentioned in the report. We are not backing off on that issue.

Mr. YUN. Mr. Chairman, if I can just expand a little on Ambassador CdeBaca's remarks. The administration considers China's coercive birth limitation policies a grave violation of human rights, and has routinely expressed our opposition to those policies both publicly and privately. The White House issued a statement on August 23 articulating the administration's strong opposition to all aspects of China's coercive birth-limitation policies, including forced abortion and sterilization. And thus, we at the Department continue to monitor developments concerning this very important issue.

Promoting greater respect for human rights, including reproductive rights, is one of our key foreign policy objectives in China. And we will continue to urge the Chinese Government to treat its people in accordance with established international norms. Thank you.

Mr. SMITH. Thank you, Mr. Yun. Two final questions. I will yield to my colleagues, and then I have a few additional, if you would allow.

Deborah Cundy, you might recall, Ambassador CdeBaca, testified about best practices. We met her, you and I, at a conference in Rome. I thought her testimony when she appeared here was extraordinary about best practices that her hotel chain has undertaken. But there have been many reports that indicate that American chain hotels in China as well as in Mexico have been the locations of sex trafficking. And namely, we are talking about the Hilton hotel chain. And I am wondering what you were doing specifically to work with hotel chains, including Hilton, to ensure that they are not complicit in human trafficking. Are they working with law enforcement, for example, to ensure that trafficking laws against complicit hotels—I mean, are we taking a harder line on those that are part of the problem?

Ambassador CDEBACA. There are several things that we are doing on the hospitality front. First of all, it is in the context of the overarching business approach where we, through projects such as the slaveryfootprint.org Web site, where everyone can go, and after taking a 15- to 20-minute survey on what they own and what they buy can get at least a rough idea of how many people who are held in modern slavery are impacting their lives.

I took it, and I am ashamed to say that even though I do this for a living, and have for a while, that according to the economists at Berkeley and the others who did the algorithms that support that application, that at a minimum I have got 84 people held in forced labor around the world who are contributing to my lifestyle just on the basis of what I buy, what I do, et cetera. And that is, as I said, not only somebody who doesn't use commercial sex, but also fights slavery for a living. And if that is my slavery footprint, we can only think about what people who aren't asking these questions might be.

A hotel has a slavery footprint as well. And I think that we have seen that leadership from the Carlson Company, certainly through their properties, Radisson, Country Inn and Suites, et cetera, but also we are seeing leadership in some other ways from hotels. Marriott made the decision—evidently they have a policy that they don't sign onto codes of conduct, kind of a general company-wide—so when they looked at it they said, you know, what we think that we can best do with our properties is not only think about how to have an exploitation-free hotel environment, but also to harness the power of the trafficking victims and the survivors. And so we are happy to say that the first projects in the Marriott family, and I think Starwood is participating as well, to actually bring trafficking survivors into the training programs there, in Brazil, in Mexico, in Vietnam—we think that the best victim protection is a job, a good job, a safe job. And hotels can be the agents of that.

Hilton, in the wake of those scandals—unfortunately, it often takes a scandal to wake up a country or a company as to the fact that they need to deal with this in their own supply chains—in the wake of that scandal has now signed onto the code of conduct for the travel and tourism industry. And we made it very clear to Hilton that one of the reasons why we selected the Hilton in downtown Miami for our recent Western Hemispheric Reporting Officers Conference, when we had a choice of a number of properties to host that in, was in recognition of the fact that they had done so.

We don't see this as necessarily tied to the Federal Acquisitions Register or to our contracting in general. We don't have a rule that says this is something that we always have to do. But what we are certainly looking at is if there is a Radisson, if there is a Hilton, if there is somebody that has put their money where their mouth is as far as human trafficking, then we as consumers individually, but also G/TIP as an office, we should reward that type of behavior.

So that is the plug. If you see a T.G.I. Fridays, that is Marilyn Carlson Nelson's company does that. We can't tell you where to eat, but you should know that they are doing their best to fight slavery.

Mr. SMITH. I appreciate that. Just one question before I yield to Mr. Payne.

With regards to Cuba, a Tier III country which was granted a waiver on September 30 for cultural and educational exchanges, my question is how does granting that waiver actually promote democracy, rule of law, respect for human rights?

And I would note parenthetically that I have tried, me personally, to get a visa to go to Cuba, primarily to go to the prisons and to try, if possible, to meet with the political prisoners there, to meet with Fidel Castro to raise directly—or his brother Raul—the issue

of human rights, and particularly the mistreatment, the torture, the degradation that is suffered by political prisoners in Cuba. And there are still hundreds of them. Some were recently let out including, Dr. Oscar Biscet, who I frankly nominated for the Nobel Peace Prize. He is an unbelievable man, a tremendous man. He is still under what we would call house arrest, but at least he is out of solitary and he is not being tortured per se. And I was denied.

I tried to go with a cultural exchange group, because to get into Cuba you need to be going with some group. You just can't show up on your own. And I couldn't get a visa, still can't get a visa to go to Cuba. And yet a waiver was granted, and Frank Wolf joined me in that. He and I are trying still. We have been in prisons in China, the Soviet Union, Romania, East Bloc countries. I met with Xaxana Gusmão, when he was in—from East Timor, who then obviously went on to become President—in Indonesia. Yet we can't get into Cuba's prisons. And it is very troubling especially, since that is what is permitted or exempted in terms of sanctions. So a Member of Congress, chairman of the Human Rights Committee for Congress, can't get into Cuba, and yet that is waived. So if you could speak to that, I would appreciate it.

Ambassador CDEBACA. Well, you are correct that it is waived. It is the only thing that is waived for Cuba. We feel that Cuba doesn't have a comprehensive strategy to address this. It has little if no discernible anti-trafficking law enforcement, victim care, trafficking prevention measures. You know, most other countries, even that end up being on Tier III, at least generally admit that there might be some trafficking going on. We feel as though, on the trafficking specifically, that just as we have been able to establish a dialogue with the Government of Cuba on migration issues, that we need to be in there trying to talk to them. Trying to talk to them can be frustrating. It can mean not getting a visa at times. We don't base our rankings of countries on whether Members of Congress, or even me or my staff, can get a visa to go talk to them.

There have been other countries, other than Cuba, where we haven't had the luck of getting that visa issued as we would desire. But I think at the end of the day the calibration that this administration has on Cuba is very much that if we can get not only the formal dialogues with the government through—especially on the migration dialogue, but also that notion of some people-to-people work, getting the Cuban people to be able to see what freedom looks like, to be able to see what that example does, it will achieve great change on the island.

And so within the context of these particular sanctions, which are just some of many against the regime and doing business in Cuba, we felt that exempting out these cultural and educational exchange programs was a way to continue those types of relationships.

As you said, even during the depths of the Cold War, that notion of educational exchange programs was one of the ways that we were able to (A) keep the dialogue going, but (B) raise up an entire generation of leaders who in the late 1980s and early 1990s finally were able to achieve change behind the Iron curtain. And we want to continue to be able to do that with Cuba.

Mr. SMITH. Okay. Mr. Payne.

Mr. PAYNE. Thank you very much. I just wonder if any one of you would take on this question. Human trafficking is a broad term that encapsulates a diverse group of crimes from debt bondage to child sex trafficking. In your opinion—any one of you could try to answer this—what are the main push-and-pull factors driving international human trafficking? How do they differ in your opinion by region and by type of trafficking? And to what extent do current anti-trafficking programs address such underlying factors or vulnerabilities? Do you see a big difference as it relates around the world? Do you think there is any sort of a cartel that communicates with each other in different regions of the world? I just wonder if anyone might take that general question.

Ambassador CDEBACA. I think I might tee it up. But I know that my colleagues have thoughts on this because we have talked about this over the last couple of years.

We are talking about two regions of the world that are both source and destination regions. I sometimes—as I mentioned to Assistant Secretary Blake, I am going to see some of his clients when I am going to the Gulf States because there are so many people from South and Central Asia who are there who are vulnerable and often exploited. On the other hand, there are people within South Asia who are going from one country to another within South Asia or who are enslaved in their own countries. The same I think is true in East Asia where we have a lot of interregional trafficking that happens.

At the end of the day, poverty is very much a driver of this but it is not necessarily the most abject of poverty. It perhaps is the one step up on the developed rung, the person who actually sees an opportunity to—having gone to school, now having no opportunity to get a job in their home village or their hometown says, Well, then I am going to have to go off somewhere else. All too often, the person who can help them do that is not an honest labor broker. It is somebody who is going to charge a usurious recruiting fee and enforce that through force, threats of force and threats of coercion.

So one of the things that we very much look at is the idea that development could do something to stem the flow while recognizing that there is some research out there now that is showing that this is definitely a crime of opportunity. The victims want opportunity. They are willing to put themselves in harm's way to some degree. And the traffickers see the opportunity to take advantage of them.

It manifests itself very differently in a number of these different countries, though. Even in different parts of the same country, you will have mainly sex trafficking in one part, and, in another part, mainly agricultural trafficking. Which is why I think that the work that we do at the embassies is so important. We have to apply these minimum standards to the regions and to the world, but we have to do it in the context of each one of these countries. The difference between a Senegal and a South Korea are very different based on where they are and what they need, and we have to be able to tell the difference as we are applying these minimum standards that you have given us.

Ambassador BLAKE. Let me jump in and just add to what Ambassador CdeBaca said. I think in the SCA region, you see both a

combination of push-and-pull factors, as you said, Mr. Payne. In places like India and Nepal, trafficking is often a function of poverty and poor education, where particularly young women, but also young children, are very vulnerable to seductive pitches from traffickers who promise a better life in the city and then find themselves enslaved once they get there, and in debt, bondage of some sort which they will never get out of. So they are very, very vulnerable to those kinds of pitches.

It is also a function of weak governmental institutions and weak rule of law that is unable to deal with these kinds of challenges. Frequently you find trafficking in countries where there is a poor level or a low level of economic growth, in places like Tajikstan where one-seventh of the country is working outside of Tajikstan in Russia and in Kazakhstan because there is no economic opportunity for them. So those migrant workers are often very vulnerable in the countries in which they work, as Ambassador CdeBaca said, not just in the Gulf but in Russia and elsewhere.

Another serious problem almost throughout my region is corruption where, again, those weak government institutions and often poorly paid officials are very susceptible to corruption, particularly by these organized criminal gangs and networks. And so that is a very difficult problem for us to try to deal with.

So our challenge is to both try to shine a light on these practices, as I think this report does, but also work with the many capable NGOs on the ground who are doing terrific work, and then finally to engage the governments directly not only in terms of advocacy, but in terms of the many important programs that your committee helps to fund.

Mr. YUN. Mr. Chairman, of course I agree with everything that has been said.

But an interesting aspect in my view is, clearly it is tied to poverty and economy. Having said that, it is also clear that in some cases, country and countries can make enormous progress in very, very short time. And in my region, I would highlight South Korea and Taiwan. So you need to ask, why is it that some countries can make enormous progress in very short time? Obviously the strength of the institution is one. And I would say what I would loosely call "freedom index" is another one; that is, the media as a watchdog, civil society, and of course the willingness of lawmakers to look at their legislation, to look at their laws and see what they can learn from elsewhere and what will work for them. So it is entirely possible in my view that in many countries, things can improve quite rapidly, given opportunities.

Mr. PAYNE. Thank you. Kind of a similar question in that vein, because I just wonder, how does the problem of—in your opinion—human trafficking compare to other social economic challenges facing governments that are not fully compliant with the U.S. minimum requirements? Do you find that when human trafficking is a problem, there are other similar problems?

And secondly, where does a sort of state corruption come in? Officials in many instances, you have to work with policing. And I think policing around the world, even sometimes in our country, we see policing problems. Sometimes peaceful demonstrations are disrupted and they become actually a police riot.

There is some question of just what happened in San Diego a night or so ago where people were relatively peaceful. A bottle or two might have been thrown. But the reaction of a police force here, even in our country—I just use that as an example that policing is so important.

So the law enforcement agencies in countries where the social economic issues—in some instances these law enforcement people aren't even paid—not that that is an excuse for them to therefore be corrupt—but are low paid and poorly trained. How does that help them fit in?

Ambassador CDEBACA. Again, I think I will let my colleagues discuss the particular ways that that manifests in these regions. But I think on the overarching, I think we learned that lesson in the United States prior to 1947. We may have forgotten it, frankly. One of the things that was the major civil rights achievement of the Roosevelt administration, working with the NAACP litigators and others, was to break the backs of the peonage and share-cropping system in the South, and that didn't happen until 1947, allowing the space then to move on from 13th Amendment jurisprudence to 14th and 15th Amendment civil rights, housing, voting, all of the things that we are familiar with from the 1950s and 1960s. But at the end of the day, it was the sheriffs and it was the local justices of the peace that were enforcing debt bondage in the American South for three generations after slavery was officially illegal. That is corruption at large, and it was systemic corruption. And we see some places where that type of corruption still exists.

But then we also see the individual corruption of a police officer or their family who actually owns the brothels. It is not just that the cops are going to these brothels, as the kind of "boys will be boys" tolerance which we need to rout out, but then it is also that they are individually profiting. Or we see countries where, you know, the large landed interests don't want to clean up some of the problems with forestation or extractive industries because it is the senator's brothers or cousins or whoever that own those plantations.

So we have to keep unpacking this corruption problem, because I think that the easy corruption problem is to say it is the fault of some low-level guy that is taking a bribe. We have to not only look at that level, you have to go up that other step, not blame the deputy, you have to go after the sheriffs themselves.

Mr. PAYNE. That is excellent. Yes.

Ambassador BLAKE. Mr. Payne, I would say to answer your first question, I think we do often see problems like trafficking in persons, drug trafficking and others, coexisting with each other. And again, they are a function of the fact that these organized criminal groups are often involved in these activities, find them very, very profitable.

But I think corruption is also a very, very significant problem. And corruption often exists where you have, as I said, poorly paid officials, poorly developed institutions, but also it is a function of a lack of democracy in independent democratic institutions, like a free press, like free NGOs, such as Transparency International, that can bring to light some of these things without fear of retribution.

It is a function of often lack of opposition parties in many of these countries who, again, have an interest in bringing these kinds of things to light. So there is a whole series of things. And often we try to see these in a holistic way as well and try to, again, not only address the problem itself but—in my mind the most critical thing that we can do in many of these countries is the work on rule of law because that underlies everything else. And if you have a strong, independent judiciary, you can get to the root of many of these problems quite quickly.

Mr. PAYNE. Mr. Blake, I couldn't agree with you more. And I do. In listening to my colleague, I was fortunate enough to get in Cuba a number of years ago, and I thought it was my responsibility to raise issues with Mr. Castro. Fidel Castro at that time was the leader there. And I raised issues about, as a matter of fact, the inequity of the blacks in Cuba. Much of it, as I said, was because of remittances coming from the U.S. and other places, and the ones who left were not the blacks that were left behind. So there was a growing inequity among the races. There is very little we can do about that.

But I also raised questions with some investors starting hotels. There started to become a prostitution question. It wasn't gigantic, but it was starting to raise its ugly head and raise a question that once again the poor people are going to be the ones—the minorities would end up in the position, by virtue of their lack of equality financially, and that there needs to be attention given to this, and this was not in the right direction, and even raised a question of prisoners.

And as a matter of fact, another group went down after that and instructed them to not only raise questions but sort of talk to them about the fact that there should be—you need to reconsider people who are in prison that should not be there and who have not had a fair trial, which was raised by some Members, some people. And that seemed to have had some positive impact because we have seen—people shouldn't have been in prison in the first place. But there have been some released. So I feel that there needs to be a dialogue.

I went to Bahrain a couple of weeks ago. And although there was only interest in, you know, me seeing the employment and things that were going on well, I wanted to meet the 25 medical people who were sentenced, and the government had all 25 of them, doctors and medical people who have been charged with a crime at a hospital which is just unheard of. There will be another trial. It is a military trial. I think the pressure is growing with how the Members pushed them to reconsider. So all the folks will be retried. So I think it is a step in the right direction.

We have a committee of inquiry that we would hope that would come out. And they are not from that country, but from outside the country. But people still have not been put back to work. They were fired for protesting, and we said that this is wrong. Labor unions have been discriminated against.

But I think that when you get an opportunity to go, we made it pretty clear that these—and they met with these different groups which are not on a regular program. But we insisted before we went, we had to meet with them not only so that we could make

ourselves clear, but that these are things that have to be turned around and that we insist that this injustice in that kingdom end.

So I guess my point is that I find some value of going and having conversations with some of the people that we don't necessarily—don't want to go to dinner with necessarily, but to try to convince them that policies need to be changed.

Ambassador CDEBACA. Mr. Payne, if I could, I think that what we have seen is that if it is simply the trafficking ambassador that goes out and raises this and then, you know, comes back and works on the report, that those governments—the ones who are friendly and want to fight on this with us, they would have done that without a visit from me. The ones who are not interested in working on human trafficking without some cajoling—it is not just me going. When they hear it from Bob Blake, when they hear it from Joe Yun and Kurt Campbell, when they hear from you all when you are out on the road in the Codels or when your staff has been out.

When I was on the Judiciary Committee staff, I was able to go to a shelter in Cambodia with Sheri Rickert from the Foreign Affairs Committee staff and some others, and being able to see the victim practices there, but also having to have the Cambodians know that Congress cared. It is a very different message than simply, you know, a guy from a small office in the State Department raising the issue of slavery in the modern era.

So we join you in that notion that there is value and we want to support, whether it is Codels, staff dels, traveling with us will raise, I think, when we are out on the road, but knowing that you are raising it as well makes a big difference.

Mr. SMITH. Let me just ask a couple of final questions. First, I am sure all three of you saw the New York Times article, "The other India: Where are the Children?" on October 12, just a week ago. And it makes the very disturbing statement that between January 2008 and October 2010, 13,570 children were missing in Delhi alone. It says, "Some of the children who were eventually found spoke of being taken by force or of being enticed with promises of food and clothes. But they were then sold into various forms of slavery, including domestic labor, beggary, agricultural labor or commercial sex work." And the article also notes that "A provisional Indian census report released in 2010 estimated that one in ten workers in India are children," and experts say that these numbers are conservative.

I guess, Ambassador Blake, this might be directed to you, as well as to all three of you, really. The upgrading of India off the Watch List and not to Tier III but rather to Tier II—I listened very carefully, I read it very carefully in the report, but there is still I think some very disconcerting and unanswered questions.

You say in your testimony, Ambassador CdeBaca, that sex trafficking of women and children has not abated and may, in fact, be increasing in places such as India. So it would appear, according to your testimony, that it is at least as bad and possibly getting worse.

About 10 years ago, I had several hearings on trafficking, and we heard from the International Justice Mission, IJM. And the testimony was focused on India, and Gary Haugen actually brought a

video and showed all of these young—some of them were not even teenagers, they were so young—little girls that were in a cellar who, when the police came—and the traffickers were tipped off by the police, they went through some charade. Afterwards the little girls were brought out of the hiding place. Their eyes were all squinted because it was dark. And you could see that these were tiny, little, at-risk little girls who were being trafficked. And one of the things that Gary Haugen made very clear in his testimony was, a point made clearly was, it is the police.

And I have noticed, you know, if we are going to have a problem anywhere, it is not often the President, the Prime Minister. It is that point of contact at the police level, which obviously is part of government, and therefore is subject to the minimum standards.

This report, other reports that I have read on India, point out that law enforcement still may be lax, still may be the Achilles' heel in India. I was actually in Nigeria, in Abuja, in a hotel after a full day of working on trafficking, when I turned on CNN and there was a very, very fine report on CNN International about India. And again, the police were tipped off. They went through the charade of walking into the brothel and the kids, some of them didn't get out quick enough, ran out to the street. And he said, by the next day, they were all back being sold and exploited, and the police were laughing about it.

And I am wondering if that is still a problem, especially since, as you pointed out, Ambassador CdeBaca, that sex trafficking of women and children may not have abated and may, in fact, be increasing in places such as India. Are we just holding our breath with some hope here that India will get its act together?

And I add into that the similar problem, but not apparently government-sponsored, but like China where the one-child-per-couple policy is a major push toward the elimination of the girl child. But we had a press conference—again, right in this room very recently—and it was focused on India and China, and the bias against and prejudice against the birth of and the lives of little girls. And again, most of the girls are eliminated, destroyed by sex selection abortions. But many others, particularly in India, are killed. As they are born, their gender is discovered, and they are suffocated or killed in some other way.

Again, one of our people at that press conference said the most dangerous three words in that part of the world is "It's a girl." If it is a girl, she may be dead. Or if she gets to be a little bit older, she may be exploited through trafficking.

And again, with deep respect to Ambassador Blake and to all of you, I would hope that unless there is—my hope is next time around, India, if they have not made truly significant progress—you know, when you say there are 80 units, trafficking units, that is one out of every 14 million people. Is that just something that has been put together to appease a local political constituency or an international one? Or is this an all-out effort to eradicate slavery? Because as Ambassador CdeBaca said, it has not abated, and it may even be getting worse.

Ambassador BLAKE. Mr. Chairman, that is a big question about a big country. So let me try to tackle it, and then I will ask Luis to chime in. First of all, let me just say that I personally have been

working on this issue about trafficking persons in India for the last 8 years. I started out as deputy chief of mission in 2003 and spent 3 years there. One of my most important tasks then as deputy chief of missions was the work on trafficking missions. I led our working group inside the Embassy working on this, because I felt it was such an important priority. And you are right, I remember going to train stations and seeing traffickers waiting for young kids to get off the trains from rural areas, because they were so poor and so desperate, and these guys were predators waiting to basically bring them into slavery.

And I was there with really dedicated NGOs who were there to stop those guys and had, in fact, found partners in the police to help them stop that. So even at that time, there were some quite good efforts that we were supporting to stop those kinds of practices.

At that time, too, Mr. Chairman, I think India often even refused to admit these kinds of things even existed, and certainly didn't want to acknowledge the scope and the scale of the problem. I think we have come a long way since then, Mr. Chairman, with due respect.

This year India was upgraded because they are making some pretty significant efforts. I mentioned the 80 anti-human trafficking units. What is significant about that is that now, those are under the authority of the very powerful Ministry of Home Affairs, which is their chief law enforcement branch that is responsible for this. And the Minister himself has taken direct responsibility for this issue which is very significant. Before, it was the Ministry of Women and Child Affairs and things like this; but the Ministry of Home Affairs was not involved. So this, I think is quite significant.

Secondly, they say they have ratified the protocol. And most importantly, as you said, Mr. Chairman, it is working with the police and it is working with the courts, because that is where the real action is going to be to stop these guys who are engaged in the trafficking itself.

And in the past, India often used to arrest the victims. They would go into a brothel, and they would arrest all the girls and the people who had been trafficked, not the people who were behind it. And, again, I think that is really changing now.

I can just give you a few examples, if I could. We have been working a lot in Mumbai. Mumbai is a real center for the trafficking industry. And people come from as far away as Bangladesh and Nepal and are trafficked into Mumbai. There is a judge there by the name of Judge Swati Chauhan who has really done some terrific, terrific work. Literally, her court has taken over and cleared hundreds of sex trafficking cases and issued rehabilitation orders for roughly 1,200 rescued women. And what is important about this is that the Ministry of Home Affairs has not only taken note of her efforts but has said, we need—that they need to publicize those efforts and duplicate those efforts all over India. So they are actually organizing very soon a seminar of all these nodal units all around India to come and hear about how she has done this and how she has tackled this. And I think they are going to try to resource this in an appropriate way.

They are also going to expand these anti-human trafficking units. They have got 80 of them now, but I think they have intentions over time to establish them in all 600 districts of India, which is a big deal.

I want to say at the state level, there is a huge disparity in India between some states that are doing very well and then others aren't doing so well. And I think in a lot of the states now where you do see quite significant trafficking like West Bengal, like Maharastra which I mentioned, Karnatica, the police are actively working not only on the sex trafficking side but increasingly on the bonded labor side. And as Luis will remember, back in 2003 to 2006, this wasn't even on their radar. And now not only are they dealing with it, but they are dealing on the law enforcement side and bringing these into the court systems and prosecuting people.

Mr. SMITH. Does that also include police who are complicit? Were there any instances where the police were prosecuted?

Ambassador BLAKE. You know, I can't tell you for sure.

Mr. SMITH. If you could check that.

Ambassador BLAKE. That is a very good question.

But the point I want to make is, do the problems still exist? Of course they do. But I think what is really different now is that there is a political will on the part not only of the Federal Government but State government and, most importantly, the law enforcement.

And to get back to Mr. Payne's question, I talked about the rule of law. And what India does have going for it is an independent rule of law, particularly a very strong Supreme Court. I think that is the backbone of a lot of what happens in India. And for that reason, you do have very strong NGOs, you have very strong opposition parties, all of whom are more than happy to highlight these problems and try to get them addressed.

So there are still a lot of problems to be dealt with, but I do believe that India is making progress in the right direction.

Mr. SMITH. I appreciate it. Mr. Ambassador.

Ambassador CDEBACA. I would second that. I think that one of the things that was notable over the last couple of years that we have seen from the Supreme Court is that it has begun to do these inquiries into the different aspects of the anti-trafficking fight, not just on the sex trafficking or the sex trafficking of children, but looking at things as diverse as these circus performers who are being enslaved.

We had a briefing from the Polaris Project the other day about the HHS-funded hotline that they run here in the United States. One of the trends that they saw was that they have gotten I think 29 or 30 calls from people who are in carnivals here in the United States who were trying to get help because they had been harmed or trapped or stuff. And the Civil Rights Division actually prosecuted cases of that ilk back in the 1970s. To suddenly see that the Supreme Court of India was having hearings on the exploitation of these people and these transient or itinerant circuses, I think it shows that there is kind of a level of sophistication that is coming into some of these institutions in India that we, frankly, had not seen 6 or 8 years ago. Obviously we do have a very large problem

of human trafficking in India. No one—the Indians or the Americans or anybody else who looks at it—would say otherwise.

I think that one of the concerns that we have—and we have mentioned this in my report last year—as far as the changing nature of sex trafficking in India—as you mentioned, that is in our testimony—is this notion that there seems to be a move from the red-light districts to roadside prostitution, small hotels and private apartments. That is problematic for a whole host of reasons, in no small part because of the law enforcement challenge. As law enforcement becomes more serious about doing these cases, the law enforcement challenge goes up very steeply when you don't have access to the people who you are trying to save, the people you are trying to rescue. So we we are looking at this. We are going to be continuing to be raising that with our Indian counterparts.

But there are definitely things happening in India that I think anyone looking at India, circa 2002–2003, it would be mind-boggling to think that they are actually liberating people from brick kilns, putting bonded labor bosses in jail. We need to take that now, work in partnership with Indians as the two largest common law—not just large democracies but common law—countries and really take it to the next level.

Driving it out to the states is as important in India as it is here in the United States. That is where law enforcement gets done, and we want to work with our counterparts there to make sure that that happens.

Mr. SMITH. I appreciate it. I have two final questions. And thank you for that explanation.

The first is with regards to Vietnam. And Ambassador CdeBaca, we have talked about that many times, and I have raised it, as have others, many times at hearings. The labor trafficking issue, your view as to whether or not there really is progress being made, especially since so many of the allegations are against companies that are really state-run companies. The Daewoosa case, still no payment as far as I know of the $3.5 million. And I know you were involved with that prosecution, the very first one, pursuant to the TVPA.

And then a second question, if you could maybe speak to a good news issue and that would be, you know, Nigeria is now a Tier I country. I have visited there. I mentioned that a moment ago. I met with their TIP leaders and went to Lagos where trafficking obviously was a problem. Many of those women, young girls, were trafficked right into Europe, into Italy.

I will just tell a very, very quick story about a woman named Elizabeth that I met in Rome who actually became pregnant as a direct result of being trafficked and abused sexually. And she made a statement I will never forget. This little 3-year-old was running around at the shelter in Rome and she had been trafficked for about 5 years, a terrible ordeal. I hope she writes a book someday because it is a testimony to faith and courage. But this young Nigerian woman said, "The child saved my life." And said, "If it wasn't for this child, I probably would have been a statistic"; you know, suicide or something along those lines. You don't hear that kind of heroic love for a child all that often, at least explained like that.

But she told how she went through the route out of Nigeria into Italy.

So the question is, Nigeria, they are Tier I. It is a good news story, I think. They certainly have tried very hard. And maybe you want to elaborate on that for the record, as well as the Vietnam question.

Ambassador CDEBACA. Well, I will take the Vietnam, then. I think that Mr. Yun can set the scene for us on Vietnam.

Nigeria is an interesting case because, of course, Nigeria is not necessarily thought of on many law enforcement issues as being on the cutting edge. It is not a country—unlike what we have been testifying to today as far as transparency indices or corruption indices or things—that always comes out on top. And yet we have seen some very innovative anti-trafficking efforts there that, as you say, when we looked at, over the last 2 years, the application of the facts and the minimum standards, has come out as a Tier I.

You know, we don't go into these with a predetermined tier ranking. We put the facts into the logs, like we have a big machine, they all go together, and we turn the crank. And suddenly a Nigeria comes out the other side with a Tier I label on it. And I think it surprised a lot of people, frankly. Maybe it even surprised the Nigerians themselves. But at the end of the day, what they did was very innovative. Taking police, prosecutors, and social workers and putting them in the same—not just chain of command but putting them in the same office, assigning them to cases simultaneously so that they knew that they were going to be working together throughout, that is very different than what most countries do.

Here in the United States, we have prosecutors assigned to cases early on, and we have victim witness coordinators in most of our law enforcement entities. But you know, there are very few prosecutors that are older than me that came up in that system. And thank God, as I age, most of the prosecutors younger than me don't even know that there was a time when there wasn't a victim witness coordinator in that prosecutor's office fighting for the rights of the victim.

Nigeria seems to have taken that ethos and taken it to a new level. And I think that that was perhaps one of the reasons why we saw at the ASEAN prosecutors conference in Singapore this summer that the cutting-edge prosecutors that were invited to share their best practices with their ASEAN counterparts—ASEAN looks to a couple of places that maybe people wouldn't be surprised about, Sweden and the United States, but then they also looked to Nigeria. So to the degree that we are seeing African leadership that can be tapped into around the globe, I think is a very, very positive thing for this fight against human trafficking.

Now each year we are going to look at Nigeria. We don't—Tier I is a responsibility, not a reprieve. And we hope that Nigeria will continue to sharpen and continue to improve because, like India, it is a country that has a big trafficking problem. And even when they are doing well or they are doing a good job of having these structures, they are having good results, there is still a big, big trafficking problem with Nigerians; as we saw in some of the Tunisian refugee camps and Libya and other places, pimps who suddenly were in the camps with the women that they had been trying

to get across into Europe. So this is a problem and it continues to be one.

But seeing the ASEAN region prosecutors react to their Nigerian counterparts and seeing African leadership that way, to me showed that we really are, after this decade of development, we are on the precipice, I think, of some real change here.

Mr. YUN. Thank you. Vietnam is a case we have expended a great deal of efforts. Secretary Clinton was there twice over the past 18 months, and I was with her on both occasions. And in both meetings, the items that featured very prominently were human rights and trafficking there, of course challenged on both accounts, as well as freedom of religion. That remains an issue.

Vietnam is designated as Tier II Watch List. But I do believe they are undergoing changes both in the government and in society where we are seeing signs, some concrete signs that they are making some progress. Number one is that they now do have a law, anti-trafficking law. And the question remains, how is it going to be implemented? The law was only passed I think maybe about 9 months ago. So we are keeping a very close eye on that. And also there had been a number of criminal prosecutions and convictions of sex traffickers. So we are encouraged by that.

As you mentioned, labor trafficking remains an issue. And again, we are somewhat happy that they now have a predeparture training for overseas workers. So it is changing, and we do hope it will change more rapidly, and we are expending a great deal of bilateral efforts.

In fact, in about 2 weeks, we are going to hold an annual human rights dialogue. On our side, it will be led by Assistant Secretary Posner, and the Vietnamese will be here this year. So next year we will go over there. So these dialogues and high-level meetings have helped, but I understand your concerns.

Mr. SMITH. I appreciate that.

Just before I yield to Mr. Payne, earlier today, Secretary of State Hillary Clinton testified before the full Foreign Affairs Committee. And while it was focused on Afghanistan and Pakistan—and my and everyone else's questions were primarily focused on that—I did ask her if she would pick up the phone and call the Foreign Minister of China to inquire as to whether or not Chen Guangcheng is dead or alive, or perhaps even dying. There have been rumors, reports—we don't know if they are true—he has been beaten savagely by the Chinese police, first in prison and then under house arrest. And his crime, as we all know, is that he pushed human rights. He is the blind activist lawyer, and actually raised the case of forced abortion in Linyi and took the women's side. And for that, he was singled out for excessive brutality. Again, knowing that that issue of human rights abuse leads directly into our reason for being here this afternoon, human trafficking, it exacerbates it significantly.

If you could take that back. She didn't answer the question. We pretty much ran out of time. We didn't go back to it later. But I think a phone call—I will be convening an emergency hearing of the China Commission next week, and I hope Ambassador Campbell can make it, as one of the members of the executive branch who is on that. I am chairman of that Commission. And it will be

an emergency meeting focused on Chen and his wife. Where are they? And whether or not they are dead or alive, and what we are doing and what the West is doing, what any country that cares about human rights is doing, vis-à-vis Beijing, to raise his case because we think he may actually be dead or bleeding as we meet. Please take that back.

Mr. Payne.

Mr. PAYNE. Just a quick question or two more. The chairman raised Nigeria. And I was just going to—when I said I have a couple of other questions, I didn't know he was going to raise that. But I wanted to know what anyone—maybe you, Ambassador CdeBaca, might tell us. What African countries have made the most progress outside of Nigeria in confronting human trafficking? And are there any best practices that can be replicated?

And the other part of the question is that there are regional groups, as you know, in Africa; SADC in the South and IGAD in the East and ECOWAS in the West. Did you find it an advantage, the AU, African Union, to work with the regional groups to sort of find best practices, if there were some that could then be introduced to them?

Ambassador CDEBACA. Well, exempting Nigeria from the question is a little tougher because that is such an innovative practice.

Let me say one last thing about Nigeria because there was something that was done that the Netherlands and Nigeria cooperated on, and that was bringing up some traditional healers so that the victims in a case in the Netherlands would be able to, in effect, have a counter put on to the Juju that had then been put on them before they left home, which was as powerful a form of coercion to them, based on their religious and cultural practices, as were the threats of force and the beatings that they were undergoing at the hands of their traffickers. And that notion of that innovation of bringing in a traditional healer in order to have a counterceremony for those women was, I think, very forward-thinking. And it is the kind of thing that you only get if you have those relationships between the governments on these issues.

We have certainly seen on the part of Mauritius, a meeting the minimum standards. But as far as the tiers are concerned, that is really what we see in the Africa region. We would like to see more on the mainland itself.

There is some, I think, hunger on the part of a number of governments to work on this. We have seen, whether it is in Malawi or in Benin, programs that are out there working with especially the child victims. Much of the victim response in Africa has been on child victims, and we want to encourage that to continue but then also make sure that our African partners recognize male victims and female victims who are adults, not just the children.

Perhaps some of that is because of some of the good work we have seen from UNICEF in the area. It is so dominant, then, that a lot of countries respond on child issues first.

A success story of sorts is the rapid movement that we have seen in Swaziland over the last 2 years. Swaziland, Tier III on the report in 2009; since then, having raised up to Tier II. Maybe because they were so late coming to the game, and they came in as a Tier III country that denied there was trafficking, didn't want to

do anything on it, et cetera, when the wake-up call happened, they put together an inter-ministerial working group that had NGOs on the working group. We don't even have that in the United States. So when they meet under the auspices of the Prime Minister himself, when they meet, the NGOs and the folks from the government are together in the room. What we have seen is that it has got a level of respect for each other that has been slow coming in many other African countries. The NGOs feel like they can get a fair shake from their government counterparts and the government counterparts don't just look at the NGOs as potential rivals for power or someone who could be a problem for them. And that is something, again, that we would like to see.

Swaziland, obviously, has a very specific governing structure. And in other countries that don't have a monarchy, that have different types of governments, perhaps that couldn't happen quite as quickly. But we have seen that as a real positive.

I think that at the end of the day, what we have really seen is it is that notion of political will. In Senegal, when the government started focusing on child begging, and realizing that the Koranic teachers were not a religious institution but were cowards hiding behind the Koran as a way to lure the children in so that they could do their begging all of the time, taking advantage not only of the trust that the parents had of these supposed religious figures, but also taking advantage of the admonishment that the Koran has as far as alms-giving and as far as the support that should be had for such schools, perverting that in a way that is right out of Dickens. These child begging rings have been plaguing that part of Africa for quite a while.

And to start to see the governments in that part of Africa recognize that it is not cultural, it is not just something that is always going to happen, but it is criminals who are taking advantage of children; I think that is a best practice in and of itself, the recognition and then the political will to do something about it.

It is not just an African thing. We have seen this in the U.K. just in recent months, the liberation of Eastern European children from begging rings. Obviously we see this in New Delhi and in any major city, I think, in the region; and we see it here in the United States. So this notion of the beggars is something that we all share. But I think in Africa, the countries rising up against it, as we are starting to see happening, that is a great thing to see.

Mr. PAYNE. That is great.

Just, finally, we had a hearing with our committee, and there was a young man who was blind. He was a slave, a Dinka from South Sudan. And we know that that has been a problem of Dinka children and Nuba childr0en, especially during the conflicts. It was encouraged by the government of the North. And I wonder if some of the conflicts where abduction is still happening, and of course people are brought into indentured servitude, have you seen that start to eliminate itself? Could you give a short statement on that?

Ambassador CDEBACA. Well, sadly, the conflict, because it is the enemy of rule of law, it creates the ultimate zone impunity where the traffickers operate. Conflict does seem to be followed very closely by this, especially in Africa. And unfortunately, it is not only the slavery that comes in its wake, whether it is the villages being

emptied out for the men to work as porters as the army moves around, for the women to cook, clean, and be used as, frankly, sex slaves, but also for the children to work in artisanal mines, whether it is gold or the rare minerals that we use in our cell phones and other things. But also that notion of conscripting, flat-out stealing, frankly, combatants. And so this notion of the child soldiers being, in effect, both victim and perpetrator at the same time, I think, is one of the tragedies of the region.

What we have seen is that a number of countries have taken steps. With the good work of UNICEF and the work that we have been doing and others, we have seen a difference in Chad, for instance, as far as the demobilization of child soldiers. What we would like to see more in countries around the world is not simply demobilization and giving some type of safety to the child soldiers who you capture from the people that are fighting against you, but then also countries looking at their own troops and making sure that they are scrubbing them accordingly.

So while the trend seems to be improving a bit, we need to keep our eye on the ball as far as the child soldier issues. And while my office is not the lead on child soldiers in the State Department—that is the Bureau of Democracy Rights and Labor—we certainly look at it each year in the trafficking report because we know that slavery—whether it is the women that were held as sex slaves during the Balkan conflict in Europe, whether it is the folks who are currently held in Africa or in other parts of the world, this follows conflict wherever it goes.

Mr. PAYNE. Thank you very much. I yield back.

Mr. SMITH. I will follow up in terms of things looking into. On July 22, I chaired a hearing of the Helsinki Commission on the egregious practice in Egypt of abducting, kidnapping young Coptic Christian girls, apparently by the thousands each year, who are then held and forced into Islam and then given at age 18 to a man, and now they are Islamic. The women who testified, we had several, three people testified—was Michele Clark, who both, Ambassador CdeBaca, you and I know very well as number two for trafficking at the Organization for Security and Cooperation in Europe, very reputable. She is a professor at George Washington University. And she said it is not a matter of allegations anymore. She has actually done the reporting herself and will be doing more reporting on this. But it seems to be a human rights and, I would say, a trafficking issue, certainly something that rises to the level of needing to be combated very aggressively.

And I am wondering if it is something you have looked into. We gave the information to our new Ambassador before she was deployed to Cairo, and the hope is that she will really raise it. But I can't imagine what it must be like for a parent, especially for the young girl—but for a parent and her entire family to have first the child abducted and then put into a situation of bondage, if you will, and then perhaps abused in numerous ways, and at the appropriate age, age 18, given as some kind of gift by shadow slavery to someone as a wife. And again, Michele Clark has true credentials in the human trafficking area. And she says we are missing it. So if you could speak to that, number one.

And secondly, Uzbekistan, again, putting on my Helsinki hat. Every year, the cotton crop is picked by large numbers of young children who are brought out of school, and it is child labor at its worst. And yet for 4 years, Uzbekistan has been on the Tier II Watch List. It seems to me they should have dropped to Tier III. Your views.

Ambassador CDEBACA. I think I will do Egypt, and then we can go to the northeast with Assistant Secretary Blake who is fresh off the plane from Uzbekistan.

Mr. Smith, we will definitely look into the new allegations that you mention. We certainly looked through the earlier report that CSI did that I think that Professor Clark had been involved with. It sounds like there may be some new information, and we would very much like to look at that. This is an area that we like to look at.

We also, of course, look at Muslim girls being sold for marriage and other things, whether it is through the temporary marriages to—what basically can only be described as sex stores.

Mr. SMITH. But as Michele Clark said—let me interrupt you briefly—from certain jaundiced view on the part of some, they get two things out of it. They get a wife who then they give out like she is some kind of property or commodity. And secondly, they Islamasize—and to me, that is—you know, if somebody decides to be Muslim, Christian, whatever their faith may be, and that is what freedom of conscience is all about, but to do it through coercion is a horrific human rights abuse. I am sorry to interrupt.

Ambassador CDEBACA. No. I was just saying that we would very much look forward to seeing the results of any new reporting, any new evidence. It is something that we take seriously. And we also continue to take seriously the promises of the new government in Egypt that has assured us that they will enforce and continue to implement the national plan of action for combating trafficking of persons which was announced in December of last year, which was just a few weeks before the events of the Arab Spring happened.

Despite the fact that there has been a lot of leadership by then-First Lady Suzanne Mubarak on getting that national plan of action in place and equally, obviously, the Mubarak family is no longer in the position that they were, we have heard from the current government that this is something that they want to continue because they realize that this protects Egyptians, whether Egyptian children or Egyptian adults.

So as we continue to work with them on how they are going to implement that action plan, how they are going to bring it to life? We will want to make sure that all of these allegations about forced marriage, whether of Muslim or Christians, are addressed. And we will continue to look at this. And like I said, we would be happy to look at whatever new evidence that Michele or others might have.

Mr. SMITH. I appreciate that.

Ambassador BLAKE. On Uzbekistan, Mr. Chairman, again, this is another country I worked hard on. And to answer your question, you know, we granted a waiver and kept Uzbekistan on the Watch List this year, because in March of this year they decided to create an interagency working group that was tasked with ensuring com-

pliance with all 13 of the ILO conventions to which Uzbekistan is a party. That working group in turn has created an action plan to, again, ensure compliance.

This year, the government permitted UNICEF to assess child labor in all 12 regions of Uzbekistan. And, you know, just as importantly I think, Uzbek officials tell us now that they are making a real effort for the first time to try to end the use of children under the age of 16 in the harvest, and to actually punish those who are violating the law. So the harvest is ongoing right now, Mr. Chairman, as you probably know. But from initial reports that we have received from independent sources and from our own Embassy, they tell us that in fact there has been a reduced incidence this year of forced child labor in Uzbekistan, and fewer schools have been closed as a result of that. But the forced adult labor continues, and in fact may even be increasing to compensate for the child labor part of it.

So, you know, obviously we are going to have to withhold judgment until the end of the season and see how it goes. But, you know, I think we have the government's attention. And you know, they are now committed to this, where they have an action plan, they have submitted something on paper.

And, you know, this year we are going to seek, I would say, three things: First, we are going to try to seek action to end the use of forced adult and child labor, full stop.

Secondly, we are going to try to urge them to investigate and prosecute officials who are suspected of being complicit in trafficking. Again, I think there is no stronger signal than putting people like that in jail. And that is going to serve as a powerful deterrent to others.

And then, third, we want to focus on trying to encourage them to allow forced labor experts, particularly the ILO in there. UNICEF is doing these assessments now, but it is really not their job. And they themselves are the first to say that they encourage the government to do this. So we are going to be working both with the ILO and with the government to try to bring them together and achieve not only implementation of these conventions, but also ILO presence on the ground to kind of verify that.

Mr. SMITH. I appreciate that. Thank you. Is there anything—and I appreciate your work. You don't look jet-lagged at all. Is there anything else any of you would like to add before we conclude the hearing? Any country you would like to highlight that perhaps Mr. Payne, Mr. Turner, and I have not brought up?

Well, I want to thank you so much. We will have some written questions.

I won't keep you any longer. And I do very much appreciate your work. We all do. The subcommittee respects the hard work that you expend every day on behalf of the victims. So thank you so very much. The hearing is adjourned.

[Whereupon, at 4:07 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

October 20, 2011

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, and Human Rights, to be held in **Room 2200 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Thursday, October 27, 2011

TIME: 2:00 p.m.

SUBJECT: The Trafficking in Persons Report 2011: Truth, Trends, and Tier Rankings

WITNESSES: The Honorable Luis CdeBaca
Ambassador-at-Large
Office to Monitor and Combat Trafficking in Persons
U.S. Department of State

The Honorable Robert O. Blake
Assistant Secretary of State
Bureau of South and Central Asian Affairs
U.S. Department of State

Mr. Joseph Y. Yun
Principal Deputy Assistant Secretary of State
Bureau of East Asian and Pacific Affairs
U.S. Department of State

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and, Human Rights* HEARING

Day *Thursday* **Date** *October 27, 2011* **Room** *2200 Rayburn*

Starting Time *2:00 p.m.* **Ending Time** *4:07 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING:

The Trafficking in Persons Report 2011: Truth, Trends, and Tier Rankings

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Donald Payne, Rep. Robert Turner

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] **No** [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Prepared statement from Amb. CdeBaca
Prepared statement from Amb. Blake
Prepared statement from Mr. Blake
Prepared statement from Rep. Carnahan
Prepared statement from Rep. Buerkle
Questions for the Record from Rep. Smith
Questions for the Record from Rep. Buerkle

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *4:07 p.m.*

Sheri Cridlebaugh
Subcommittee Staff Director

OPENING STATEMENT OF
THE HONORABLE RUSS CARNAHAN (MO-03)
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
U.S. HOUSE OF REPRESENTATIVES

Hearing on
The Trafficking in Persons Report 2011: Truth, Trends, and Tier Rankings
Thursday, October 27, 2011, 2:00 pm.
2200 Rayburn House Office Building

Chairman Smith and Ranking Member Payne, thank you for holding this hearing on the 2011 Trafficking in Persons (TIP) Report. I appreciate the opportunity to examine the tools of the U.S. government and the international community to combat all forms of human trafficking.

The report indicates that there may be up to 27 million trafficking victims currently worldwide—including those subjected to forced labor, bonded labor, involuntary domestic servitude, sex trafficking, and child soldiers.

I would particularly like to call attention to human trafficking in Africa, where many of these trends are enormous challenges to stability and growth. In the Democratic Republic of Congo, illicit mineral trade and many years of civil war have resulted in the widespread use of child soldiers, child labor, and sexual and gender based violence, perpetuating cycles of aggression and extreme poverty. In Mauritania and Zimbabwe, women and girls are systematically recruited from neighboring countries and forced into prostitution and labor. And in Sierra Leone, communities still work to recover from a decade long civil war, notorious for its recruitment and abuse of child soldiers, while ongoing conflicts in central Africa and the Horn continue these practices.

It is clear that more work must be done to strengthen security sectors and address permeable borders, corruption, and rising cultural normalization of trafficking on the continent. To that end, the U.S. government and the international community have taken significant steps in the past decade to address trafficking. Over ten years have passed since the UN negotiated international standards against trafficking in persons and the U.S. enacted the Trafficking Victims Protection Act, emphasizing a comprehensive policy of prevention, protection, and prosecution.

I look forward to discussing the status of U.S. government anti-trafficking programs and these trends worldwide. I'd like to thank the panelists for their testimonies and presence here today.

Opening Statement
Rep. Buerkle

Thank you, Mr. Chairman. As Co-Chair of the Trafficking Task Force on the Women's Caucus, I have a deep concern for human trafficking issues. Looking at our world, from the unrest in Africa to China's one-child policy, we must acknowledge that human trafficking will persist and will grow without our vigilant effort to combat this horrible phenomenon.

The Department of State's Report is another disturbing confirmation of the sad reality of human trafficking. The Report notes that there may be up to 27 million trafficking victims in the world. From forced labor to sexual exploitation to child soldiers, slavery is not a thing of the past; it is an ugly reality of our modern world.

I want to thank the Department of State for compiling this report, which represents a step forward in effectively fighting world-wide trafficking and slavery. We must continue to build momentum in the struggle to raise awareness about human trafficking and combat it. It will require a collaborative approach that involves all levels of government, NGOs, law enforcement, and health care professionals to defeat the vast human trafficking networks operating around the globe.

The trafficking and enslavement of millions of people should be an issue of grave concern to all Americans. We should be engaged because it not only affects us as a country—our security, our commerce; but also speaks to our common humanity.

I applaud the witnesses for their diverse efforts to address what I believe is the seminal global issue of our time. I look forward to hearing more from each of you during the question and answer period.

Thank you, Mr. Chairman. I yield back my time.

Questions For the Record from Rep. Chris Smith
The Trafficking Report 2011: Truth, Trends, and Tier Rankings
Subcommittee on Africa, Global Health, and Human Rights
October 27, 2011

1. News reports indicate that Burmese migrant workers, registered to work in Bangkok, Thailand, have been displaced by the flooding in Bangkok and have fled to dry ground in other areas of Thailand. These vulnerable workers are being arrested by the Thai government because they have left Bangkok, and may be being deported without screening for whether they are human trafficking victims. How are EAP and G/TIP working together to address this issue?

No response received at time of printing

2. With which other bureaus and offices within the State Department is the G/TIP office coordinating in order to provide technical assistance to Watch List and Tier 3 countries? As Mexican cartels have become more involved in human trafficking, is the G/TIP office involved at all in the Merida Initiative in Central America? Is G/TIP coordinating with ICITAP and OPDAT within the Department of Justice for overseas trafficking training?

No response received at time of printing

3. Only the Tier 3 nations of Eritrea, North Korea, and Madagascar were not given any kind of sanction waiver by the Administration. But these countries are already under a host of sanctions. Will the sanctions required by the trafficking law actually add any sanctions to the sanctions already in place against these countries? Or will the Administration simply be double-hatting already existing sanctions?

No response received at time of printing

4. For countries given a partial waiver (Burma, Chad, DRC, Equatorial Guinea, Iran, Venezuela, and Zimbabwe), will trafficking sanctions actually add any sanctions to the sanctions to which these countries are already subject? If so, how much aid will be affected?

No response received at time of printing

5. Tragically, lax enforcement of the law in the East Asia and Pacific (EAP) region has meant that sex tourists and known pedophiles have targeted the region for exploitation. Many of these individuals are known risks to the United State and on our sex offender registry. How are you working with the Department of Justice and G/TIP office to ensure that these offenders are not free to fly to these nations and abuse children at will?

No response received at time of printing

6. The East Asia and Pacific region has an extremely high number of countries persistently on Tier 3 and the Tier 2 Watch List. What explains this phenomena? What role, if any, does government corruption play?

No response received at time of printing

7. Assistant Secretary Yun, mentioned in his testimony that Cambodia has greatly increased trafficking prosecutions and is currently prosecuting a government official. Thailand is also turning its eye toward local level corruption. Is Malaysia similarly looking at police and government corruption as it relates to human trafficking? Recent media reports allege that the wife of a police chief in Malaysia was running a

trafficking ring. Are individuals, employed by the government or otherwise, actually serving jail time for their human trafficking crimes in Cambodia, Thailand, and Malaysia?

No response received at time of printing

8. Assistant Secretary Yun's testimony indicated that prosecutions for human trafficking increased in 2010, but the Report indicates that China's statistics are unreliable because of China's legal definitions do not reflect international definitions of trafficking. How is it that State Department knows that China has increased its trafficking prosecutions?

No response received at time of printing

9. News reports indicate that New Zealand and Australia are cracking down on illegal immigration, but that they may be deporting immigrants without screening for whether the immigrants are human trafficking victims. What is EAP doing to ensure that these countries are not further victimizing trafficking victims, but rather rescuing victims and prosecuting their traffickers?

No response received at time of printing

10. The Administration upgraded India this year to Tier 2 after 7 years on the Watch List. From the information in the Report, however, it far from clear that India should have been upgraded. Mumbai alone has 12.5 million people, and the Report notes that there were only 164 sex trafficking convictions. Seventy-six million people live in Andhar Pradesh, and there were only 118 sex trafficking convictions in 2010. This does not seem like a significant effort to fight human trafficking. Moreover, all of the traffickers in Andhar Pradesh were entitled to bail on the first day of sentencing, according to the Report. We do not know if any of them actually served time for their crimes against women and girls—many, if not all, would have been able to evade just punishment using the money they gleaned from exploiting their victims.

Assistant Secretary Blake testified that the government has resolved to combat bonded labor, and mentioned several landmark bonded labor cases. As tier ranking is based on government action, not NGO initiatives, how many bonded labor cases does the State Department know of in 2010 where the case was initiated by the government, and not by NGOs?

Assistant Secretary Blake mentioned in his testimony that India has created 80 Anti-Human Trafficking Units (that is one unit for every 14.5 million people). How many full time anti-trafficking officers are in a standard unit? How many prosecutions did these units initiate during the reporting period? Subsequent to the reporting period?

No response received at time of printing

11. In your testimony you mention that Bangladesh has a severe labor trafficking problem and that Bangladesh has drafted a comprehensive anti-trafficking law that, if passed, will increase legal protections for trafficking victims, especially male laborers who have heretofore not been covered under legislation. The Administration has permitted Bangladesh to remain on the Tier 2 Watch list for the third year in a row. One of the legal requirements (Sec. 110 of the TVPA) for permitting a country to remain on the Watch List beyond the two year parking lot rule is that the country devote "sufficient resources" to implementing the plan. What resources has Bangladesh designated for the implementation of this new law and will these resources be sufficient?

No response received at time of printing

12. Assistant Secretary Blake's testimony indicated that The Maldives has drafted legislation that might prevent it from being automatically downgraded next year, but that the legislation lacks a referral mechanism and shelters for trafficking victims. Is the law adequately resourced? Will the Administration require that The Maldives address the needs of victims before permitting The Maldives to be upgraded to Tier 2? How are you working with the government of Maldives to ensure they meet the minimum standards to combat trafficking?

No response received at time of printing

13. Assistant Secretary Blake's testimony mentions that Nepal, now a Tier 2 country for several years, has been expanding its anti-trafficking efforts beyond the issue of the sex trafficking of young women to brothels in India. However, this original problem is far from solved. Nepal's borders the region of India that has the most extreme rate of gender imbalance. How is Assistant Secretary Blake working with both countries to stop the trafficking of women and girls from Nepal? Also, what specific efforts is India making to address the problem?

No response received at time of printing

14. Turkmenistan, which was downgraded to Tier 3 this year, was shielded from any sanctions. How did the Administration make the decision to waive all sanctions? Will the Administration apply sanctions next year if Turkmenistan is once again on Tier 3?

No response received at time of printing

15. The Report notes that, in Cambodia, labor recruiting practices, including government practices, leave Cambodian workers extremely vulnerable to human trafficking. What specifically are Assistant Secretary Yun and Amb. CdeBaca doing to ensure that labor recruiting is not open season for human traffickers?

No response received at time of printing

16. For Ambassador Blake: Please provide the total number of policemen in India who were prosecuted as a result of their complicity in sex trafficking.

No response received at time of printing

17. For Mr. Yun: Please provide any statistics or further information that you have that would explain why the issue of juicy bars in South Korea has been omitted from this year's report. To what extent has the rate of incidence gone down? Has action taken by the Filipino government been sustained?

No response received at time of printing

Questions for the record from Rep. Buerkle
October 27, 2011

1. The Honorable Luis CdeBaca

"In light of the anticipated drawdown of U.S. forces in Afghanistan to take place in late 2014, which we discussed with Secretary of State Hillary Clinton this morning, and President Obama's announcement to withdraw American forces from Iraq: Ambassador CdeBaca, what types of concerns do you have regarding the possibility of increased instances of human trafficking in those regions due to the vacuum left by the departure of American troops."

No response received at time of printing

2. The Honorable Luis CdeBaca

"I understand that countries are classified based on a country's commitment and activity to establish and implement a basic anti-trafficking framework. Is there a significant number of countries with large discrepancies between the size of the trafficking problem and the commitment to anti-trafficking? If so, could you give an example? Could you describe in detail how the Department of State determines how to assign weight to the size of the trafficking problem in a country and to the government's commitment to anti-trafficking in classifying a country?

No response received at time of printing

3. The Honorable Robert O. Blake,

"Could you please describe in greater detail what steps need to be taken both immediately and in the long term in order to curb human trafficking in South and Central Asia?"

No response received at time of printing

4. Mr. Joseph Y. Yun

"Could you please describe in greater detail what steps need to be taken both immediately and in the long term in order to curb human trafficking in East Asia and the Pacific?"

No response received at time of printing

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