

THE STATE DEPARTMENT 2013 TRAFFICKING IN PERSONS REPORT

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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THE STATE DEPARTMENT 2013 TRAFFICKING IN PERSONS REPORT

THURSDAY, JULY 11, 2013

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

The subcommittee met, pursuant to notice, at 11 o'clock a. m., in room 2172 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. Good morning, everybody and thank you for joining us today for the second in a series of hearings on the Trafficking in Persons Report and U.S. efforts to combat human trafficking. In April, our subcommittee took a close look at the records of six countries which had exhausted all of their allotted time on the Tier II Watch list and must, by law, be moved to Tier II or Tier III in this year's Trafficking in Persons Report. One of those who testified, Ambassador CdeBaca's predecessor in the job was Mark Lagon and we heard very, very insightful testimony, from him and others, about why countries including China, Russia, and Uzbekistan ought to have been put on Tier III. An upgrade to Tier II would have been completely unmerited and would have damaged the credibility of the Trafficking in Persons Report.

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

When I wrote the law, the Trafficking Victims Protection Act of 2000 that created not only this report, but also the Office to Monitor and Combat Trafficking in Persons and Ambassador Luis CdeBaca's position in the U.S. Department of State, and several other provisions to prevent both sex and labor trafficking, protect victims, and prosecute traffickers, it was sincerely hoped that this report would become the international gold standard and primary means of antitrafficking accountability around the world. I am happy to say it has. From the halls of Parliaments globally to police stations in remote corners of the world, this report is today being used to focus antitrafficking work—a search light on the work that is occurring or not occurring in some 186 countries.

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

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

With this report, countries should have no question whatsoever about where they rank, as well as how they can improve. Many countries have publicly or privately credited the report as the impetus for real improvement in their trafficking laws and policies. Since the TIP Report's inception, more than 130 countries have enacted antitrafficking laws, and many countries have taken other steps required to significantly raise their tier earnings.

I just returned from Istanbul on Saturday from the OSCE Parliamentary Assembly and offered a resolution there on trafficking and specially on some of the best practices that Ambassador CdeBaca and I have been talking about where flight attendants can be trained as to how to spot a trafficking as it occurs, while victims are being moved and transported. Not only did it pass unanimously, but many of the heads of delegation have made it very clear that they are going to go back to their capitals and take up that idea.

I also talked to many of the heads of delegation and members of Parliament about the TIP Report. Many of them knew about it, some of them were unhappy that our country takes it upon itself to hold them accountable, but as I told each and every one of them, not only do we rate ourselves, but even more importantly, borders are no excuse for human rights abuse. And if we really want to end modern-day slavery, what is contained in this all-important book, helps them, and helps all of us, as a guide to help improve our efforts.

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

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

threats of physical or financial harm to obtain and maintain their service in prostitution.”

Because tens of millions of girls have been systematically killed by sex-selection-abortion over the past three decades, resulting in an unprecedented number of “missing” women and girls in China, demand for prostitutes and so-called “brides” is absolutely exploding in China. And it is not getting any better any time soon.

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

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

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

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

However, I am disappointed and I would say this with all respect to my friend, Ambassador CdeBaca, we were disappointed, many of us, to see that Vietnam was not downgraded to the Tier II Watch List or Tier III. Vietnam’s labor export companies, most of which are owned by or affiliated with the Government of Vietnam, have been engaged in practices that lead to debt bondage and forced labor. The Government of Vietnam has yet to pay millions of dollars in damages to Vietnamese labor trafficking victims found in the United States and its territories, as ordered by U.S. courts.

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

Some notable trends in the 2013 report include: Tier I, 30 countries as compared with 33 in 2012; Tier II, 92 countries as compared with 93 in 2012; Tier II Watch List, 44 countries as compared with 42 in 2012; and Tier III, 20 countries as compared with 17 in 2012.

The Africa region increased its prosecutions by 45 percent. According to the report, labor prosecutions by 500 percent, its convic-

tions by 16 percent, and its victim identification by 13 percent. The African region, however, is the region with the greatest number of Tier III countries, and does not contain any Tier I countries.

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

The European region saw a slight drop in prosecutions, but a 13-percent increase in convictions and a 17-percent increase in victims identified. I would note parenthetically that that in 2008 in the European space, some 54,000 victims have been identified. So there is a robust effort underway there to find, identify, and help victims.

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

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

Finally, the Western Hemisphere region, in which the United States, of course, is included, prosecutions increased by 72 percent, and convictions increased by 44 percent, including a 650-percent increase in labor trafficking convictions. However, victim identification, sadly, decreased by 15 percent. Eight countries in this region improved their antitrafficking laws in 2012. Cuba is the only country in the region to be Tier III. Colombia and Nicaragua share Tier I status with the United States and with Canada.

I look forward to the testimony by our very distinguished witness, Ambassador Luis CdeBaca, but before that will yield to my friend and colleague, the ranking member, Ms. Bass.

Ms. BASS. Mr. Chairman, once again, I want to thank you for your on-going efforts to combat human trafficking. I always appreciate your focus and your steadfast commitment and I look forward to continuing to work with you to develop smart policies that protect victims and prevent human trafficking globally and domestically.

I also want to express my deep gratitude to Ambassador CdeBaca. And I especially appreciate your inclusion about what is going on in the United States in the report. I know that is always there, but you had a slightly different focus this time.

The United Nations defines trafficking in persons as the recruitment, transportation, transfer, harboring, or receipt of persons. While we hold this hearing annually, this definition of trafficking reminds us that efforts to end human trafficking are needed more today than ever before. The International Labor Organization esti-

mates that human trafficking generates well over \$30 billion annually, a figure that rivals some nation's gross domestic product. The 2013 TIP Report clearly indicates that far too few victims have been identified and my fear is that if we don't quickly identify more victims they will be lost to organized crime, pimps, johns, and others that care little about their well-being or physical, mental, or emotional safety.

With social scientists estimating that 27 million women, children, and men are trafficked, the fact that only 40,000 have been identified is woefully inadequate and frankly disturbing. We can and must do more to assist nations everywhere with helping identify and protect victims and not treating them as criminals.

I am pleased that this year's TIP Report is themed Victim Identification.

Ambassador, once again, I commend your leadership on this issue, working through the interagencies as well through your direct foreign government engagement to ensure that a comprehensive response to fight trafficking includes thorough enforcement, alongside compassionate care for vulnerable communities including runaways, foster youth, disabled, stateless, ethnic minorities, and migrants.

As I look at this year's tier ranking map of Africa, there appears to be progress in nations like Madagascar, Sierra Leone, Senegal, and the Republic of Congo, yet other nations have not progressed and have fallen backwards. The good news however, is that prosecutions, convictions, victim identifications, and new legislation across the continent appear to be at an all-time high.

I am eager to hear what new efforts can help increase focus on issues of child soldiers, sexual exploitation, as well as forced servitude and labor throughout Africa. The TIP Office should be congratulated for efforts to work with the South African Government to advocate for and advise on passage of legislation that prohibits all forms of trafficking in persons. I am pleased that the TIP Report continues also to evaluate the United States' efforts to address human trafficking. In this section, the TIP Report highlights the critical needs to strengthen efforts to serve and protect domestic populations vulnerable to trafficking including the nearly ½ million children in foster care. Sadly, the instability and traumatic experience of foster children make them particularly susceptible to commercial exploitation. Worse still, recent headlines indicate that pimps are now targeting foster youth group homes as hubs to recruit vulnerable girls right here in this city as well as around the country.

Across the country, data shows that between 65 and 85 percent of domestic minor trafficking victims are current or former foster youth. In Los Angeles County alone, my home county, hundreds of domestic youth are commercially exploited each year. In 2012, the Los Angeles County reported that at least 60 percent of youth identified as victims of sex trafficking were in the foster care system. Estimates by local authorities indicate that the actual numbers are much higher, but there is a lack of available data to confirm these statistics.

As an advocate of our nation's foster youth, I am pleased to see that the TIP Report urges the United States to increase training

to case workers and other professionals who serve children in the child welfare system, similar to as the chair mentioned with the airline industry. We need to train our own service providers here. The report specifically notes that the Federal Government should issue official guidance to provide child welfare agencies with specific tools and information to better identify and serve foster youth who are trafficked or at risk of being trafficked.

Furthermore, the TIP Report outlines the need for enhanced data collection to better understand the scope and scale of domestic human trafficking. In order to address these very gaps, I am proud to have introduced the Strengthening Child Welfare Response to Trafficking Act, along with my colleague on the subcommittee representative, Tom Marino. This bill will direct the Department of Health and Human Services to issue guidance to child welfare agencies with appropriate tools to identify, document, educate and counsel child victims of trafficking and those at risk and require child welfare agencies to report the numbers of victims of trafficking in foster care as well as their plans to combat trafficking to the Federal Government. I don't know and perhaps we can get into it in questions, I don't know if you work with Human Services here, but it would be great to have that collaboration going.

In closing, Ambassador, I want to urge you to continue to pursue an interagency process that calls on all relevant departments and agencies to address this issue, like I described a minute ago. I have been generally impressed by the work of the Interagency Task Force to develop a comprehensive strategic action plan on victim services here in the U.S. to ensure that our limited resources are being maximized. The decision to include a public comment period to incorporate the input of broader civil society including survivors of trafficking into the plan increases its chance for success to increase awareness, identify more victims, and improve services.

I look forward to posing some questions later on in this hearing. Thank you.

Mr. SMITH. Thank you very much. I now yield to the distinguished chairman of the full committee, Mr. Ed Royce of California.

Mr. ROYCE. I thank Chairman Smith for holding this important hearing. I just want to also take a moment and thank Chris Smith for all he has tried to do to drive this issue as well as our former Speaker of the State Assembly, Karen Bass, a member of this committee for everything that she is attempting to do to stop human trafficking, especially trafficking of children. And the definition of a civilized world is one that comes to the aid of those who are most defenseless. And when you look at the situations around the world of children sold into slavery, sold into trafficking, or these situations that Karen has been talking about in terms of the group homes, we have girls as young as 13, 14 years old, these Romeos are sent there, these girls never have any idea the end goal that these men have for them. They think they are being rescued. But what is about to happen to them is a very, very horrendous situation followed by a very short lifespan for most of these young children.

We want to thank Ambassador CdeBaca for his work and for being here today with the Office to Monitor and Combat Trafficking of Persons.

We had a hearing earlier this year on this subject, prior to the report, and this modern-day slavery is what it is, is something that affects the lives of so many millions around the world, but also as we heard in testimony, also the lives of people here in the United States. And the commitment of the Foreign Affairs Committee as Chris Smith will attest is deep, it is longstanding, it is fully bipartisan, and our goal is to put a whole lot of more pressure on governments around the world to get engaged here.

Earlier this year, I supported the Violence Against Women Act reauthorization, but I have concerns that cuts to the TIP Office and other aspects of the trafficking reauthorization contained in that bill might harm the important work of the TIP Office. I know that Chairman Smith is working hard to make certain that at the end of the day we do more to lean in on these governments. And against this background all of us were closely watching this country's peer rankings to see how the State Department would handle the statutory limit on how long countries could stay parked on the Tier II Watch List. And so I was somewhat encouraged that for the first time in memory, this year's TIP Report accurately ranks certain important countries such as China and Russia, based on the facts on the ground. And based on their lack of significant efforts to address the problem.

I do wonder why other countries were not similarly treated. For example, I am very concerned that the Government of Cambodia remains part of the problem. My chief of staff spent her vacation in the past working with children in Cambodia who had been sold, who had been trafficked with the knowledge of local police, with the knowledge, full knowledge, of the local government. But I do believe that these new Tier III downgrades are well deserved. And I think that increased the credibility of the TIP Report, but at the end of the day I want to see more done across the board, especially with governments like Cambodia.

The Report also underscores the broader challenges we face. Twice as many countries slip backwards in this year's report than have been improved since last year.

And finally, in terms of this global issue, hitting close to home, just yesterday, the Orange County District Attorney, Tony Rackauckas, filed human trafficking charges against a Saudi princess accused of exploiting a Kenyan victim in California, so we will be following that case with interest.

I thank you again, Mr. Chairman. I yield back.

Mr. SMITH. Thank you very much, Chairman Royce, for your leadership and for your very eloquent comments today.

Dr. Bera.

Mr. BERA. Thank you, Chairman Smith, Ranking Member Bass. Again, this is an incredibly important series of hearings and even one case of human trafficking is one case too many, but when you are talking about millions, this is an epidemic that requires all of our resources. And again, I applaud this committee for taking it up and making it a priority and we have to make it a priority for the entire population in America. It goes to our core values of human decency, human respect, and dignity.

We certainly have to focus in on what is happening internationally, but we also have to look at the supply side of this as well. We

have to raise our standards of values. So when we are shopping someplace, when we are buying our goods and services, we know we are not spending resources at places that are engaging in human trafficking.

We also have to hone our conversation. Ambassador CdeBaca, you pointed out the importance of just basic education so that our first responders can recognize and report potential cases that our healthcare providers, that our teachers, that everyone in this country can recognize it, so we stop it here domestically as well and stamp that out. And you identified a case of a police officer in Sacramento who just with a single day of training really raised his awareness. So this is an epidemic that has to stop and again, it goes to our basic values as just human beings.

So again, I applaud the efforts of this committee. Again, this is a bipartisan issue that just is about human decency and what we stand for. So we look forward to working with you and you clearly have the full support of all of us. Thank you.

Mr. SMITH. Thank you, Dr. Bera. Mr. Meadows.

Mr. MEADOWS. Thank you, Mr. Chairman, and thank you, Ambassador, for being here to testify. As most of us in this room know, this annual Trafficking in Persons Report is one of the best tools that we have in terms of identifying human trafficking and reports on some 186 countries, utilizes U.S. Government research, foreign government statistics, NGO information, evaluates really whether a country is meeting, and may I stress minimum standards to eliminate human trafficking. But really none of that matters. We have had a number of hearings here, none of that matters if the Report is not acted on. And for me, I think that is what I look forward is how can we make sure that if a bad report is presented, that it has consequences that comes with that. We look over and over and we have heard testimony in this very room how if there are no consequences or if there is not a consistent standard, what we find is that human trafficking really doesn't change.

The State Department has not let us know if they will put on sanctions for any Tier III countries. And yet, they have the law and the capability to do that and we seem to resist that.

There is obviously some very encouraging statistics we have seen here in this report, some that are not quite as encouraging, but what we all know is that this will not improve unless there is an incentive, a real incentive, not just empty words and empty rhetoric, but a real incentive to make sure that we stop this. It is bipartisan. Both the chairman and the ranking member have said it so well that we have to place an emphasis on this, not just abroad, but here in the United States. My daughter has been involved in human trafficking issues in the United States for a long time to highlight that and what we have happening also in our neighborhoods, in our communities around us must be stopped.

So with that, Mr. Ambassador, I thank you for your heart and what it represents.

Chairman Royce pointed out one other thing with regards to VAWA. When it passed, I was deeply concerned about reduction in some of the emphasis in human trafficking both from a reporting standpoint, a jurisdictional standpoint, and a funding standpoint that I look forward to working with the chairman and the ranking

member to hopefully correct. I look forward to hearing your testimony on that.

I yield back, Mr. Chairman, and I thank you.

Mr. SMITH. Thank you, Mr. Meadows. Now we turn to our distinguished witness and thank him for being here. Ambassador Luis CdeBaca coordinates U.S. Government activities in a global fight against contemporary forms of slavery. He serves as senior advisor to the Secretary of State and directs the State Department's Office to Monitor and Combat Trafficking in Persons which, as we all know, assesses global trends, provides training and technical assistance, and advocates for the end of modern-day slavery.

Ambassador CdeBaca formerly served as counsel to the House Committee on the Judiciary, whereas his portfolio included modern slavery issues, among many others. He also served as a Federal prosecutor with the Department of Justice where he prosecuted and successfully convicted dozens of pimps and abusive employers and helped liberate hundreds of victims from servitude.

So Mr. Ambassador, 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, Ranking Member Bass, and other members of the committee. Thank you for the invitation to testify today about the 2013 Trafficking in Persons Report. But most importantly, thank you for your on-going concern and leadership in our country's effort to combat modern slavery.

Since I became Ambassador-at-Large 4 years ago, a lot has changed in the antitrafficking movement for governments are living up to their responsibility to fight this crime. More stakeholders are contributing expertise and resources. And more individuals are aware of the way that modern slavery affects their lives. But one thing that has not changed is the partnership across the United States Government when it comes to fighting human trafficking, in both the administration and on Capitol Hill, in both the House and the Senate and in both sides of the aisle.

It is a partnership that secured the renewal of the antitrafficking law earlier this year, a partnership rooted in the idea that we as a nation need to stand up for universal values, values of freedom, justice, and dignity of all people, here at home and around the world. These are the values that drive our work to fight modern slavery. These are the values that drive our imperative to deliver on the 150-year-old promise of freedom made by President Lincoln.

At the same time, we also make combatting trafficking in persons a priority in domestic and foreign policy because doing so is in our country's strategic interest. Trafficking persons is a crime that threatens rule of law. It feeds on the vulnerability of marginalized populations, creates further instability and damages communities, corrupts labor markets and global supply chains, the very things that are essential to a thriving global economy.

So it is not only the right thing to do, but the smart thing to do. And as President Obama made clear in this speech of the Clinton Global Initiative meeting last fall, the United States will continue to be a leader in this global movement. President Clinton said

something right after that. He said that “the foundation world and all of us in public life have not necessarily done enough to deliver on that promise.” And so that challenge that was put down not just by President Obama that day, but by President Clinton as well, is a challenge that should ring out for all of us. It is the challenge that Mr. Bera suggests. What am I doing? What are we doing in our own lives as consumers, as policy makers, as Americans?

We ask ourselves that question each day at the State Department. And what we do is we try to press forward through assistance to organizations working on the front lines, providing aid to victims and helping governments build up their capacity. We bring more stakeholders to the table through partnership efforts, harness civil society, the resources and innovativeness of the private and the commitment of groups and individuals who, like us, reject slavery in the 21st century. And through diplomacy, we urge governments to fully embrace their responsibility to deal with this crime and we will work with any government that takes this problem seriously.

One of our most important tools along this line is the annual Trafficking in Persons Report. I would like to say a few words about our major findings this year. My prepared testimony goes into greater detail, and Mr. Chairman, you gave us a very good overview as well of some of the trends that we are seeing out there.

Once again, this report tells us that trafficking in persons affects every country in the world. And it also tells us that there is no government in the world that is doing enough to fight it.

Our major focus this year is the importance and challenge of effective victim identification. When done well, victim identification opens the door to the support and services trafficking victims, trafficking survivors need. Victim identification leads to more investigations and prosecutions and allows survivors the opportunity, if they choose, to share their experiences and have a voice in the way that we shape our antitrafficking policies and practices. It is the critical first step in stopping this crime.

And yet, only about 47,000 victims were brought to light in the last year, compared to that 27 million people living in slavery. That massive gap represents the millions who toil unseen and beyond the reach of law and it shows how far we have to go in this effort. At the same time, we do see modest gains, more victims identified, more countries adopted modern antitrafficking laws, more countries moving toward a whole of government approach so necessary to confront this crime.

Now beyond the global trends, the report includes the assessments of the countries and territories on their government’s effectiveness in combatting this crime. And we have seen an unfortunate reversal of the trend over the last few years. More countries were downgraded this year than were upgraded by a margin of nearly two to one. This year, 30 countries, including the United States are on Tier I in the report, meaning the governments of these countries are complying with the minimum standards set by Congress. And I would like to be clear and I would like to repeat what Mr. Meadows has said, these are only minimum standards. A Tier I is not a perfect score. A Tier I is merely a passing grade.

Every country, every government, can be doing more to deal with this challenge.

This year, 92 countries are in Tier II. Those governments don't meet all the minimum standards, but we are seeing some serious efforts there. And 44 countries are on the Tier II Watch List, countries that despite making some efforts aren't getting positive results or the situation may actually be getting worse. An example I think that reflects Chairman Royce's concerns, Cambodia, the downgrade of Cambodia to Tier II Watch List this year very much reflecting a downward trend in that country.

And then, of course, Tier III, those countries where the governments aren't doing much at all to deal with this crime and this year there are 21 countries.

This report doesn't pull any punches. It is thorough and candid and as Secretary Kerry said at the rollout of the report, this report is tough because this is a tough issue and it demands serious attention. It is tough, but it isn't necessarily punitive, we are not claiming to have the answers because we don't. Know that the better information that we have about modern slavery, what works there and what works here, the more we are able to share those best practices, that we are able to learn from our partners, and we are able to share what we are doing correctly, the better we all will be in confronting it.

So we are not just pointing a finger. We are extending a hand to anyone who agrees that this is a problem that we need to grapple with. The Trafficking in Persons Office's 60 staff members are committed abolitionists, subject matter experts, and experienced diplomats and they work with their colleagues in the field with ever-intensifying expertise across the U.S. Foreign Service and across civil society. One of those staff members, Senior Coordinator for Reports and Political Affairs, Mark Taylor, is leaving us next week for an exciting opportunity in Southeast Asia. We all owe him a debt of gratitude for his decade of leadership because under his command, the Reports and Political Affairs Section has seen a report that has shone a light in the dark corners of the world and driven policy change for the better for the vulnerable around the world.

So this report is a guide for ourselves, for governments, and for everyone who shares our goal of a world without slavery.

Thank you all for your commitment and your partnership.

[The prepared statement of Ambassador CdeBaca follows:]

AMBASSADOR-AT-LARGE LUIS CdeBACA
TESTIMONY BEFORE THE HOUSE FOREIGN AFFAIRS
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL
HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS
WASHINGTON, DC
THURSDAY, JULY 11, 2013

Mr. Chairman, Ranking Member Bass, Members of the committee: Good morning, and thank you for the invitation to testify about the State Department's annual *Trafficking in Persons Report*. And thank you for your concern and leadership in our country's effort to rise to the challenge of modern slavery.

Lawmakers on both sides of the aisle and on both sides of Capitol Hill continue to be staunch supporters of eradicating modern slavery. As the Obama Administration works to enhance our whole-of-government approach to modern slavery, we value our partnership with Congress. Bipartisan congressional engagement and support were instrumental in securing the reauthorization of the Trafficking Victims Protection Act (TVPA) earlier this year. We all realize that part of American leadership requires us to stand up for universal values—freedom, justice, the dignity of all people—here at home and around the world. Those are the values that drive our work in this area.

At the same time, this Administration has made combating trafficking in persons a priority in domestic and foreign policy because doing so is in our country's strategic interest. Trafficking in persons is a crime that threatens the rule of law. It feeds the vulnerability of marginalized populations, creating further instability and damaging communities. It corrupts the labor markets and global supply chains that are essential to a thriving global economy. Fighting trafficking in persons is the smart thing to do, and as President Obama made clear in his speech at the Clinton Global Initiative Meeting last fall, "the United States will continue to be a leader in this global movement."

At the State Department, we press this fight forward through assistance to organizations working on the front lines providing aid to victims and helping governments build up their capacity. We bring more stakeholders to the table through our partnership efforts, harnessing the expertise of civil society, the resources and innovativeness of the private sector, and the

commitment of groups and individuals who, like us, reject slavery in the 21st century. And through our diplomacy, we urge governments to fully embrace their responsibility to deal with this crime and we offer to work with any government that takes this problem seriously.

One of our most important diplomatic tools is our annual *Trafficking in Persons Report*. This *Report*, which Congress called for in the TVPA of 2000, has become the gold standard in assessing government action on this issue. This morning, I'd like to briefly discuss some of the major findings in this year's *Report* before making myself available to your questions.

This *Report* reaffirms a trend we've seen as long as we've been assessing this issue: trafficking in persons affects every country in the world, and no government is doing enough to fight it. As Secretary Kerry said last month, "this report is tough, because this is a tough issue, and it demands serious attention."

The major focus of this *Report* is the importance—and the challenge—of effective victim identification. We know that a victim-centered approach, guided by the 3P's—prevention, protection, and prosecution—is the best way to deal with this crime. When done well, victim identification opens the door to the support and services victims of trafficking need. It also leads to more investigations and prosecutions of traffickers. And it allows survivors the opportunity—if they choose—to share their experiences and have a voice in the way we shape our anti-trafficking policies and practices. Victim identification is the critical first step in stopping this crime.

The *Report* estimates that, based on the information that governments have provided, only around 40,000 victims were identified in the last year. In contrast, social scientists estimate that this crime victimizes as many as 27 million people at any given time. That massive gap illustrates how far we have to go in this effort to identify, rescue, and provide support and services for the millions who toil unseen and beyond the reach of law; and to bring to justice the traffickers who exploit and abuse their victims with impunity.

At the same time, we continue to see modest gains on a global scale when it comes to anti-trafficking efforts. The number of victims identified does represent an increase from the previous year. We've seen more countries adopting modern anti-trafficking laws consistent with the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and

Children (Palermo Protocol), and more countries moving toward the whole-of-government approach to this crime, the approach that we've found so effective.

Beyond these global trends, this *Report* reflects individual assessments of 188 countries and territories on their governments' effectiveness in combating this crime according to the 11 minimum standards established by Congress in the TVPA.

This year, 30 countries, including the United States, have been placed on Tier 1 in the *Report*, reflecting that the governments of those countries are complying with the minimum standards. It's important to note, however, that a Tier 1 ranking doesn't suggest that a government has achieved total success in dealing with this challenge. Indeed, no government's response is perfect, and this remains a crime that affects every country in the world.

This year, 92 countries were placed on Tier 2. Tier 2 includes those governments that do not meet all the minimum standards, but are making considerable efforts to do so.

The Tier 2 Watch List comprises 44 countries in this year's *Report*. The Watch List was established for countries that, despite making some efforts to combat modern slavery, aren't seeing increasing efforts or where the situation may actually be getting worse.

Tier 3 countries are those where the governments are found not to be taking the affirmative steps needed to fight human trafficking, and this year there are 21 countries with that status.

In the 2008 reauthorization of the TVPA, Congress created a new requirement in the Report that, going forward, if a country was on the Tier 2 Watch List for two consecutive years, it would be automatically downgraded to Tier 3 unless sufficient progress had been made to merit an upgrade to Tier 2. In other words, a country couldn't simply camp out on the Watch List year after year without making progress.

The law allowed for the mandatory downgrade provision to be waived for up to two additional years, meaning that a country could be on the Tier 2 Watch List for a total of four consecutive years, if a government provided a written

plan designed to bring that country into compliance with the minimum standards.

This is the first year in which a number of countries could no longer receive waivers and faced an automatic downgrade. There were six such countries facing that situation in this year's *Report*: Azerbaijan, China, Republic of the Congo (Brazzaville), Iraq, Russia, and Uzbekistan.

In looking at those countries and applying the facts to the TVPA reauthorization of 2008, three of those countries, Azerbaijan, Republic of the Congo (Brazzaville), and Iraq, had demonstrated a fair amount of progress, and received an upgrade to Tier 2. In China, Russia, and Uzbekistan, we did not see the same sort of progress, and as a result, they had to be placed on Tier 3 of this year's *Report*.

But even though this *Report* takes a hard, thorough look at this issue around the world, it isn't meant to be punitive. We aren't claiming to have all the answers, because we know we don't. Instead, we're proceeding on the idea that the better information we have about modern slavery, the more effective we will be in confronting it. We aren't pointing the finger, but rather extending a hand in partnership to anyone who agrees that this is a problem we need to grapple with. This *Report* is a guide—for ourselves, for governments around the world, and for anyone who shares our goal of a world rid of modern slavery.

Thank you for your commitment to advancing this struggle, and I'm eager to answer your questions.

Mr. SMITH. Mr. Ambassador, thank you again for your testimony and again, thank you for your extraordinary leadership.

Let me just begin with a couple of questions. Nigeria was a Tier I country in 2010 and 2011. I actually visited Nigeria and met with their JTIP, their equivalent of our office to combat trafficking. They seem to be very, very focused. I visited two shelters. They were inadequately housed, but it was a resourcing problem. And I am wondering if you might speak to why they are Tier II? Of course, they are not Tier III and they are not a Watch List country, but when Nigeria was put on Tier I, it was cause for celebration that one of the most populous of the African countries had made such progress. What has happened?

Ambassador CDEBACA. Mr. Smith, I am glad you asked about Nigeria because to us there is so much promise in NAPTIP, the Nigerian antitrafficking structure. The very structure of NAPTIP and the way that they are staffing their offices to us is an innovation that all countries in the world should look to.

This notion of bringing together police officers, prosecutors, and social workers assigned to the same case on the same day, it is not police officers work a case for a year and then they maybe take it to a prosecutor who turns it down because they have never met the victim. It is not social workers as an afterthought. It is actually integrating those three things. And that was I think one of the things that drove us in 2009 as far as the upgrade was concerned.

There has been leadership changes in NAPTIP over the last year or so and I think that those are also things that we are looking at that will have a very positive effect. The new head of NAPTIP is energetic, she is innovative, and she is serious. And we think that that is putting them on an upward trajectory. I can't say what the tier rankings would be for Nigeria in any given year. We have to look at the evidence for those 12-month periods. But we do think that there is positive movement in Nigeria.

Nigeria as a model, I think one of the things that we have seen is whether a country is a Tier I country or a Tier II country. If there is an innovation, we need to call people's effect to that. And I, on the Senate side, was in front of an Asia Subcommittee that was perhaps a little more skeptical about Nigeria and skeptical about the fact that we would think that much wealthier or other high-status countries in the Asia region could learn from a Nigeria on a law-enforcement issue. And frankly, that was something that we took back and we went straight to those governments and said Nigeria is doing this right and we all need to look at them as a model.

Again, each year we look at the rankings and we will see where we go. But we are heartened by some of the innovations that we see out of NAPTIP.

Mr. SMITH. A few weeks ago, Mr. Ambassador, the chairwoman of the Foreign Affairs Committee for China, Madame Fu, sat right where you are sitting, but facing the other way and we had a dialogue, members of our committee. I brought up the trafficking issue and the nexus with the one-child-per-couple policy and the gendercide that has occurred systematically over the last 30 years through sex-selection, abortion, and the fact that tens of millions of girls and now young women are missing simply because of sex-

selection abortion. And as I pointed out in my opening, straight from the TIP Report, you point out that the skewed sex ratio of 118 boys to 100 girls in China has served as a key source of demand for the trafficking of foreign women. And I would also add for domestic women moving in country around in China.

Madame Fu was indignant that I even brought it up. When I mentioned to her that 600 women, just under 600 women per day commit suicide in China, it is the only place in the world where the numbers far exceed male suicides, directly attributable to the one-child-per-couple policy and now this horrible consequence of trafficking, she said I was making it up. But I pointed out that our State Department's country reports and human rights practices makes very clear that that number came from their Chinese Government's equivalent of the Centers for Disease Control. And she looked at it and walked away in a huff.

My question is what was the Chinese reaction to being placed on Tier III? If you could maybe elaborate on how this demand is only getting worse, especially for the ASEAN countries where women are being trafficked, and that goes for North Korea as well, into China because of the scarcity of women. They don't exist relative to the number of males in that country, so demand has been skyrocketing. If you can speak to that as well.

And thirdly, where do you think the administration may go on enforcing or implementing a sanctions regime on the PRC?

Ambassador CDEBACA. Perhaps I will take those backwards.

Mr. SMITH. Sure.

Ambassador CDEBACA. Once the Trafficking in Persons Report comes out, there is then a 90-day period in which we look at the possibility of sanctions for the Tier III countries. And we work with our colleagues in the regional bureaus. We work with the White House and others in looking to see to what extent there is aid to those countries that we would then be having impact on, to what extent there are things that we would want to preserve the working relationship around, especially things like law enforcement training and other things that go directly to the human trafficking issue. Because, of course, you don't want to cut off the way that you can make change with a particular country, and so trying to figure out what the universe actually is as far as U.S. foreign assistance that would be subject to sanctions. And that is the process that is going on right now. I can't speak to where that is going to end up. I can certainly tell you though that we are taking it with all seriousness and not just in China's situation, but in all of the Tier III countries. And there are some new Tier III countries. There are also countries that have been in Tier III in the past. And each year we want to look at those with a fresh slate because we want to make sure that the sanctions regime is tied to the rankings, but also tied to the situation on the ground. And that typically, I think we are usually talking about a mid-September date as far as the sanctions decision by the President.

As you point out, Mr. Smith, the Trafficking in Persons Report does not shy away from recognizing the interrelationship between the one-child policy, the sex ratios, and the demand, especially for women, not just for bride trafficking, but for sex trafficking as a whole. That notion of the disposability of women that we see, as

Kevin Bales calls the situation of trafficking the problem of disposable people. I think that that is something that we have raised with the Chinese, not simply in the context of the report, but when I am sitting down with my counterparts talking about human trafficking, it should come as no surprise that this is one of the concerns that we have. And we certainly communicate that to them.

Their response this year without necessarily getting into the middle of particular diplomatic conversations, and I think just as we had had a fruitful visit a few months ago to China, we feel that there is some room to work with the Chinese. The ratification of the Palermo Protocol, finally, the new Plan of Action, these are very positive things. The new Plan of Action came out after the reporting period closed and so it is not something that is necessarily reflected in this report. But the new Plan of Action for the first time actually says let us look at unofficial work. It had been that trafficking could only happen officially in China if you had an abuse within a labor unit. And if you weren't in an official labor unit, you weren't employed and so therefore you couldn't be held in forced labor. So all of the underground economy was exempted from the application of the law. So the notion of them closing that loophole, the notion of them looking with the All-China Women's Federation so that you could have the screening of people who were found in prostitution as a matter of course, these are all things that we are enthusiastic about when we look at that action plan. That action plan is a future promise and future promises under the Trafficking Victims Protection Act are Tier II Watch List criteria. And so when we look at that action plan, when we look at what may come from it, we are going to be working with the Chinese and I think that their response to the report and the discussions that we are going to be having with them coming out of their response shows that there is, I think, a lot of places that we can work together on this, rather than being at loggerheads.

Mr. SMITH. I do have many other questions, but I will yield to my friend, Ms. Bass.

Ms. BASS. Thank you very much, Mr. Chairman, for yielding. I actually want to ask you a couple of questions, but not as Ambassador, in your prior role, thinking about the U.S. and giving your years of experience as a prosecutor, so we are grappling with a couple of things. I mean right now we know ten states have passed safe harbor laws to protect children from being criminalized and charged with prostitution when I don't believe a person under the age of consent could be considered a prostitute.

So my question would be what would you advise Congress to do in order to encourage or incentivize states to enact strong safe harbor laws? And then until those laws are passed, I am also concerned about girls that have already have that on their record. Then they try to turn their life around and they have soliciting. So how do we address that? And I want to know if you are familiar with any states that have been successful in eliminating charges related to sexual exploitation. California has led the way in one area, but—

Ambassador CDEBACA. Well, this is actually part of my ambassadorial hat as well because of the senior policy operating group which I chair is a way in which we bring the entire interagency to-

gether to wrestle with these. I think I am probably unique among the ambassadorial corps in that I have the domestic responsibility as well. We try to do that as collaborators and with a relatively light touch across the administration, getting everybody moving in the same direction, especially as the President has, I think, shown such leadership on this over the last 8 months or so.

What we have seen is a very exciting set of legislative sessions this spring. There are some states in which this was the only session because they are on 2-year cycles. And so we have seen an explosion in not just laws being passed and sent to the governor for signature in places not just in your states that have done a lot on this over the years like California and New Jersey, but also in places like West Virginia and even Wyoming finally passing their state antitrafficking statute. But that notion of safe harbor and the notion of expungement we are starting to now see that.

And something that my office has been working with the States' Attorneys General and the National Conference of State Legislators on, it is something that our friends over at DOJ and HHS, especially, have been working with.

Ms. BASS. Can we get that information from about the states and all, get that information?

Ambassador CDEBACA. Very much so. I mean I think a lot of that ends up being kind of the normal type of intergovernmental work, the phone calls of encouragement and things like that. I have testified by phone, for instance, in the West Virginia legislature. We don't have a product that we are sending out to them, etcetera, but we can certainly get you some more information about what we have been doing. And I think that part of it is that again, the bipartisan effort of the National Attorneys General Association led by Martha Coakley last year, but then really pushing out now as not just a 1-year Presidential initiative, but something that is going to sustain itself. I think that is one of the things that we have seen.

When you hear the stories of these women who have been able to get their records expunged, they are able to get a cosmetology license. They are able to move on with their lives.

[Additional information follows:]

ADDITIONAL WRITTEN INFORMATION RECEIVED FROM THE HONORABLE LUIS CDEBACA
TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE KAREN BASS

According to the 2013 Trafficking in Persons (TIP) Report, all states and all but one territory have enacted modern anti-trafficking criminal statutes in recent years. All 50 states prohibit the prostitution of children under state and local laws that predate the Trafficking Victims Protection Act; however, the application of these laws continues to result in some trafficked children being treated as criminal offenders. By the close of the reporting period (FY 12), some states had passed additional protections such as asset-forfeiture provisions, access to civil remedies, and training for law enforcement; 14 states had enacted "safe harbor" laws to ensure that children are treated as victims and provided services rather than being prosecuted for prostitution; and eight states had enacted laws to allow trafficking victims to petition the court to vacate prostitution-related criminal convictions that result from trafficking. While these laws reflect an increased effort by state legislatures, observers report that state anti-trafficking laws generally lack uniformity and consistency across jurisdictions.

Since our reporting on "safe harbor" laws in the 2013 TIP Report, five additional states have passed some form of this type of law. States have also improved upon and implemented existing "safe harbor" laws including, but not limited to, New York and Minnesota. The state of New York amended their "safe harbor" law to protect 16- and 17-year old trafficking victims in addition to those aged 15 and young-

er. The Minnesota Legislature approved \$2.8 million in funding to implement their "safe harbor" law enabling the state to hire a statewide director of child trafficking prevention and six regional coordinators, to train law enforcement and prosecutors, and to provide shelter and housing to child victims.

Mr. SMITH. Mr. Ambassador, let me just ask you with regards to Vietnam which is one of the disappointing parts. I know you don't make all of the decisions, the regional bureaus certainly have input to say the least and there is very often, I have heard this from the previous Ambassadors, including Ambassador Mark Lagon, that it is a battle, fighting to ensure that the right tier ranking occurs.

I recently introduced and got passed in full committee, the Vietnam Human Rights Act. This will be the third time that I tried to get that bill enacted into law and held a hearing on it. There were actually two hearings. Vietnam is deteriorating when it comes to human rights at breakneck speed. There have been more show trials in Vietnam in 2013, in the first 3 months of 2013, 40, than there were in all of 2012. As a matter of fact, it was pointed out by Human Rights Watch that there has been a huge deterioration across the board when it comes to human rights in Vietnam.

When it comes to trafficking, as well as designation of CPC, country of particular concern, I think there has been a missed opportunity on our part to so designate Vietnam such a country because on religious persecution they have also been in a race to the bottom. But when it comes to the TIP, Vietnam certainly, both labor and sex trafficking, I believe, has really deteriorated. The TIP Report acknowledges that Vietnam's anti-TIP law has not been implemented because criminal penalties have not been established. Prosecution is limited to two provisions in the existing penal code, Article 119 on trafficking of women and Article 120, but none of the labor trafficking activities committed under the government's labor export program involving government-owned or sanctioned labor export companies have been prosecuted.

And I am wondering, given that record and that you were personally involved with the first case to be prosecuted under the law that I wrote, the TVPA of 2000, concerning Daewoosa in American Samoa and they still have not been forthcoming with the judgments that were rendered in that decision either. So that is 13 years old. But that pattern continues, and as I said before in my opening, we heard from a woman who testified right where you sit whose sister was trafficked to Russia, forced into a brothel, and at least three people in the Vietnamese Embassy tipped off the brothel owner when the Russian Government was going to send in police to liberate those women. So they are complicit. It couldn't have been more clear. And she told the story of her sister who had been so ill-treated and to this day others who have spoken out in Vietnam fear for their lives. She said she feared for her life and her family members who are still in Vietnam.

It would seem that the government has done an awful job and if you could speak to that issue because it seems to me that Vietnam should be, it seems to me there ought to be, they deserve to be, on Tier III just like China.

Ambassador CDEBACA. I think one of the things that we have seen in Vietnam over the last year or so is that there have been some of the structural activities on the part of the government, the

decrees that put out guidance on victim identification; a new policy on people who are arrested for drug offenses, not immediately being put into those re-education camp, detention facility-type things where they were facing forced labor, but as the report this year sets out, this is a situation which is very much as you recognize, a mixed bag. We see almost 500 offenders being sentenced. That is a positive. On the other hand, we also see these situations with the labor export. We see a good track record of identifying almost 900 victims, but when you look at that it is 900 victims almost all of whom who are of internal sex trafficking cases as opposed to looking at the forced labor, whether it is external or otherwise. And I think that that is where we see kind of this mixed bag situation. There is something good that is happening and then there are these kind of bigger overarching structural issues.

And so it is certainly something that we are taking into account as we now switch over to kind of the diplomatic phase after this initial report situation. And I think it is something that as you mention, I have had personal experience with the overseas labor issues on Vietnam and it is something that we are continuing to look at. We are continuing to monitor. And especially our Embassy in Moscow because that seems like this pipeline has opened up, garment factories east of Moscow, whether it is in service industries or light construction, that notion of the Vietnamese and Russian guest worker situation has always been present, but it seems to be perhaps if not intensifying, it is being reported on more when the abuses are coming out in the Russian press.

And so it is one of those things where we have to look at, not simply what are we monitoring that is happening within Vietnam, but starting to look more at where the Vietnamese are being sent and what is happening to them once they get there.

Mr. SMITH. Let me just ask you, has the Vietnamese Government initiated charges against labor export companies or against traffickers involved with the Russian case?

Ambassador CDEBACA. Not to my knowledge, but I would have to check back.

Mr. SMITH. If you could get back to us on that that would be helpful.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE LUIS CDEBACA TO QUESTION
ASKED DURING THE HEARING BY THE HONORABLE CHRISTOPHER H. SMITH

It is our understanding that Vietnam's Ministry of Public Security (MPS) last year concluded an investigation into allegations that more than 80 Vietnamese workers were recruited to work in textile factories in Moscow and subjected to forced labor. The MPS investigative unit for trafficking publicly recommended that the Government of Vietnam charge the Vietnamese labor export company in the case—Hanoi Investment and Construction Joint Stock Company 1 (HICC1)—with human trafficking. However, the Supreme People's Procuracy rejected the recommendation to bring trafficking charges due to "lack of evidence" and returned the case file for further police investigation. Our understanding is that the case is now under additional investigation. According to the Ministry of Foreign Affairs (MFA), on international labor trafficking cases, Vietnam's criminal justice system requires extensive legal assistance from the police forces of the countries where the exploitation occurred in order to successfully prosecute on human trafficking charges.

Mr. SMITH. And again, I would just say that Vietnam did a very good job of fooling people when the bilateral agreement was coming

forward that they would make serious efforts on religious freedom and other human rights abuses and even people who signed Block 8406, similar to Vaclav Havel's Charter 77, a great human rights manifesto, they have become targeted in a very systematic way. So what I am suggesting is that the backdrop of decrees being promulgated need to be looked at like a grain of salt when that is exactly what they did with religious freedom.

I remember our Ambassador-at-Large for Religious Freedom under the Bush administration thought that he had what he called deliverables when it came to religious freedom issues and not one of them was acted upon and it got them off the CPC designation. And they never went back on it as they ought to have. So I think they are very good at gaming the situation and talking a good game, but they don't walk the walk. So I would hope that you would take that back and I know you care about this deeply so take a good, hard look at if you would on Vietnam.

The report also indicates that the Government of India provided no information on investigations or prosecutions of trafficking offenses or on convictions or punishments of trafficking offenders. So my question would be many of us, I remember vividly Gary Haugen who you know and I know so well, 10 years ago sat where you sat at one of the hearings I had on trafficking and showed a video of police being tipped off in Mumbai when these young, 13-, 12-, 11-year-old girls had been hidden. They had the video of these little girls who were hidden and they were brought up out of a cellar. They could barely see because they were in a dark cellar, but the police had been tipped off and that seems to be the modus operandi in many situations in India. And certainly police are under the minimum standards by definition, are considered part of the government, because I am the one who wrote those minimum standards with a great deal of assistance from my colleagues. But we made sure that government complicity was inclusive of police.

And I am wondering again how India can qualify as Tier II and not Tier III or at least Tier II Watch List?

Ambassador CDEBACA. Well, India is certainly a country that has a very serious trafficking problem, I think certainly the scope of the problem. Also, the way it manifests as you mentioned the brothels with children, the folks on farms and rice mills and brick kilns and other factory-type settings. It is a multi-faceted trafficking problem in one of the largest countries in the world and manifests itself differently in different states and different regions.

I think one of the things that we have seen that is important over the last few years in India is that notion of the—especially the Interior Ministry coming together around this issue, the leadership from the ministers themselves and some of the high-ranking staff that is showing that kind of political will that it takes to fight human trafficking, the creation of the antitrafficking units out in the field. And we recognize that some of those are a work in progress, the notion that you have got about almost 500 antitrafficking units and the police and some of those are clicking along and especially if they have relationships with the non-governmental organizations, and not just the international non-governmental organizations from the U.S. or from Europe, but the Indi-

ans who are working on this. A number of those organizations played a key role in the passage of the trafficking legislation this last year in India. And that is something that we can't overstate. India had been going in a different direction than the rest of the world over the last 10 years on human trafficking legal regime.

Their Immoral Trafficking Prevention Act actually was something that applied to the persons in prostitution as much as it did to the pimps and traffickers who were abusing them. And so one of the reasons why we were suspect of the numbers that one would get historically from India was that many of those numbers were very probably women and children in prostitution who had been prosecuted under the Immoral Trafficking Prevention Act.

Now we finally have a modern anti-slavery, antitrafficking law that aims at the abusers, not at the victim. That came in right at the end of the reporting period. It came in because of, we think, that new relationship between the Ministry of Interior and civil society responding, of course, to the horrible tragic gang rapes that were being reported upon this spring. But it was, I think, a situation where we look at kind of where we are in India this year. What have we seen over the last 12 years? I think especially the work of the HTUs which is a rebuke of sorts to those who had claimed in the past that the Indian Government could not have a centrally-managed antitrafficking effort because of their constitution. The home ministry has proven them wrong and I think it is something that we want to continue to support the home ministry and as they continue to do their work.

Mr. SMITH. That obviously happened before the report was published or before the time closed. Have you been pleased with the progress they have made in enforcing their new law?

Ambassador CDEBACA. Well, I think it always takes some months for laws to get out of the blocks, as it were. It is not a drag race. And so I think it is something that we are going to be really looking to see as to how that law comes out.

One of the things we saw in a similar—

Mr. SMITH. Does it treat the dalits equally?

Ambassador CDEBACA. Excuse me?

Mr. SMITH. Does it treat the dalits equally?

Ambassador CDEBACA. The dalits, it applies to them as well as everyone else in India. Now the proof is in the pudding and I think that that is what we are going to see is the enforcement then done in the same kind of neutrality that the text of the law itself would have.

Mr. SMITH. The report shows that the victim identification in the Western Hemisphere decreased by 15 percent. Is there a reason for that?

Ambassador CDEBACA. You know, I don't think that we have enough to really go from that as to speculate as to exactly why.

Mr. SMITH. Okay.

Ambassador CDEBACA. I think one of the things that we are seeing is that there is a little bit of a double-edged sword without increased attention to the data collection efforts in that we are really interrogating the data which sometimes means that we end up looking at claimed victims identified by government and we will say now what you are actually telling us is about alien-smuggling

cases or those are people who you prosecuted for prostitution offenses. So by interrogating the data, in some countries will end up having a circumstance where it looks like there are less victims identified than in prior years, when in fact what was happening is those prior years victim identification claims may have not been as accurate as this year's.

So I think it is something we are working through, especially with a lot of the Latin American governments as we are bringing them into the modern definitions of human trafficking.

The OAS Plan of Action and some of the work that UNODC has done in the Western Hemisphere is getting more and more countries to be able to differentiate between alien smuggling on the one hand and human trafficking on the other. And so I think that we are going to be seeing much more accurate reporting as far as victims identified, but it all comes back to that definition whether in the Indian context, whether in the Western Hemisphere context.

Mr. SMITH. Mr. Ambassador, let me ask you about Cuba which is the only Tier III country in the Western Hemisphere. According to the report, Cuba still does not prohibit prostitution of children age 16 and older. This is of great concern, given the administration's effort to open tourism between the U.S. and Cuba. And over the past several years, I have read many reports about the abuse of children in Cuba for child sex tourism, particularly to Europe and to Canada. I remember I was in Geneva when it was still called the U.N. Human Rights Commission before it became the Council and there was one report that some activists had that clearly showed that this a big money maker for Fidel Castro. And the man that had it was actually hit by some of the Cuban—he was out running, a van stopped. He was cold-cocked in the head by some of these thugs because he was raising this issue among delegations, including the U.S. delegation, in Geneva.

I read the report and it was horrible how children are exploited in Cuba. And I am wondering if you might want to expand upon that and whether or not sex tourism prosecutions might be included in the report to give a further sense of just how bad it is. Parenthetically, I remember I was in Brasilia some years ago meeting with parliamentarians there on trafficking and learned just how many child predators make their way to Brazil. And they were fully aware of it, were trying to combat it and they did a Plan of Action that was wonderful, but it is still a problem. But Cuba, obviously, is not visited by predators from this country, at least not in large numbers, and not yet. But that could become a major problem. If you could expand upon that?

Ambassador CDEBACA. Well, I think with Cuba, obviously, there are challenges not only as far as doing the type of law enforcement that would be necessary. As you rightly point out, the fact that the U.S. travel to Cuba is as limited as it is, I think that you have seen other countries in the region that have had more of a destination status for U.S. child sex tourists, whether it is the Dominican Republic or some of the Central American countries.

I think that one of the things that we have seen though is that this issue of child sex tourism, this issue of child abuse is traditionally an area that we are able to work on with countries around the world no matter how the relationship may be on other issues. And

it is something that just as with the migration talks and other things that we hold with Cuba, it is something that we would want to continue to try to have dialogue on with the Cuban Government.

We all have a shared goal of protecting our children, whether those are our citizens or children here in the hemisphere and it is something that we will work with any government in the hemisphere or around the world that is willing to work with us in protecting children.

Mr. SMITH. Just let me ask you, when do you expect action on the sanctions regime as prescribed by the TVPA 2000 and all the subsequent authorizations? Soon? Is it being looked at country by country to ensure that there is a second shoe to drop?

Ambassador CDEBACA. Indeed. That is what we are doing right now, the sanctions regime starts now. We are a little bit of walking and chewing gum at the same time in that we are also out demarching governments, talking to governments. The Tier II Watch List countries, especially the ones that are on the auto-downgrade provisions for next year are places where we are going to be spending a lot of our time and attention. We are doing that and working on the sanctions and restrictions analysis right now and we typically have had that out the door in the September-October area. So I think we are looking at a couple of months as far as getting that out and getting that up to you.

Mr. SMITH. Madagascar, since the coup in 2009, the country has been excluded from AGOA as well as the Millennium Challenge account and the report on Madagascar places it on the Tier II Watch List and points out that trafficking has increased there. And of course, we need to follow our own laws and when there are serious human rights abuses, and in this case a coup, we do have to implement the law. But something I am wondering about—there is mention made in the report that parents are forcing their own children into various forms of prostitution. Could you just perhaps focus a bit on Madagascar and what we might do to help mitigate a worsening problem there?

Ambassador CDEBACA. Well, I think it is several things. Obviously, post-coup, post-March of 2009, fighting trafficking has just not been a huge priority, but we did see increase in law enforcement efforts by folks at the working level and I think that that is one of the things that this year's ranking reflects is the fact that maybe not at the policy level, maybe not at the central level, but the folks out in the field are doing this.

We have been, I think, positively struck by how many good-hearted law enforcement folks there are in countries that have otherwise abysmal records on whether it is human rights or access to justice and rule of law. And somehow those people end up finding out about and working on human trafficking. I think it shows that there are people we can work with across the board on a lot of these governments.

One of the things that we have seen is this notion of 30 or so prosecutions that have been brought, a couple convictions obtained. That is not insubstantial in a country that had not been doing anything basically.

I think that one of the things though that we really look at going forward is what are the shelter opportunities? What are the ways

that we can go after the complicit government officials and we are starting to see the same trend, the very worrisome trend as in other parts of East Africa which is Malagasy women who are now ending up in the Persian Gulf as domestic servants. I think that that is something especially as we look at the Africa situation, the notion of whether it is in Lebanon, for instance, in a case of the Malagasy women, whether it is in Lebanon, whether it is in the Gulf countries, other parts of the Near East region where traditionally the servants were coming from Indonesia, were coming from the Philippines, etcetera. How we are starting to see in this situation folks from Madagascar, but also from Kenya, from Ethiopia, from Uganda. And they are coming into a situation where there is not the same type of robust presence in their countries' Embassies as the Indonesians and the Filipinos perhaps have. There is not the way to call and get help or a place to flee to. And we are very concerned as we look at that situation. If you look at many of the narratives in that part of Africa, I think you will see that reflected in something that we are going to have to look at more carefully, especially because it is cutting across a couple of our regional, the way that we separate up the world.

The case that Chairman Royce mentioned today, I think is an example of that. The woman who was liberated yesterday, the charges were brought against her abusers in California was a Kenyan woman who had initially been trafficked to a Middle Eastern country and then brought to the United States. Luckily, when she left the Middle Eastern country where she was working for that family, she was given a pamphlet by our consular officer, the Wilberforce pamphlet, that comes directly out of the 2008 Trafficking Victims Protection Act that you sponsored. And I think because of that, that was one of the reasons why when she flagged down the bus and asked for help, as she ran away the other day, she actually said I think I might be one of these trafficking victims, according to press reports. Obviously, this is a case that is under development and we don't have any inside information. But we have been able to look at this briefly just this morning and it sounds as though one of the things that let her know that there was a possibility of freedom was that she got the Wilberforce pamphlet from our folks at the Embassy before she came to the U.S.

So I think it shows that we think about the Africa Subcommittee. We think about the AF region or the NEA region or United States, we have all of our bureaucratic silos and we tend to think of those as all separate. I think this case, for us, shows how it really is actually interconnected and we have to be able to, whether it is as Congress or whether it is as the State Department, we have to figure out how to make those interconnectiveness to help these people because it reflects the interconnectiveness of their lives.

Mr. SMITH. As the TIP rollout occurred, and I want to applaud Secretary Kerry for his leadership as well, as well as your own, I headed over to the African Center for Strategic Studies, organized a forum with African security officials including several chiefs of staff and others. Not only did I give them a copy of the TIP Report, every one of them, and thank you for the carton that you gave me as I left the State Department, but over the course of about 1 hour,

it became very clear how hungry they were for information on best practices for their own militaries to curb abuses by their soldiers.

Similarly and parallel to that is the U.N. peacekeeper problem. The report indicates that in 2012 there were 59 allegations of sexual exploitation and abuse lodged against U.N. peacekeeping personnel. Fifty percent of the allegations were against non-uniform personnel; 30 percent involved children under the age of 18; most occurred at the U.N. missions in the DR Congo, Cote d'Ivoire, Liberia, Haiti, and Sudan. According to the report, no information is available regarding disciplinary action such as suspension, dismissal, censure, demotion, and referral to employers. However, the U.N. itself claims to know the outcomes in 27 of those cases.

So my question would be why after 7 years of addressing this issue in the DRC, for example, is this still a crisis? I would note parenthetically that I chaired three hearings. Jane Holl Lute, who was at Homeland Security was number two under Kofi Annan and they had a zero tolerance policy for the U.N. And she tried to do her level best to make sure that when it got to the field level this terrible complicity and actual abuse by U.N. peacekeepers was ended. But now we can't seemingly get information about this and I know that some of the investigators were moved out of Nigeria or I should say out of Gombe, and I actually met with them when they were there to places elsewhere which makes it harder for investigators to look into what peacekeepers might be doing.

But it seems troubling in the extreme that we can't get basic information from the U.N. as to what becomes of a U.N. peacekeeper who rapes a 13-year-old in Gombe, who is then either sent back to his home country or what happens to him? And we don't know. I wonder if you might want to speak to that.

Ambassador CDEBACA. Well, we share your frustration. The baseline on this is that notion of what we have been able to do whether it is with trying to have pre-deployment training for our own folks when they are going out or working through NATO structures and others, but we recognize that it is not always folks that are going out through the NATO structure. These are not U.S. service personnel who we are dealing with. And so while it has been helpful to point this out and to include it in the narratives, I think you are right that the road does lead back to U.N. headquarters. And that is something that we need to continue to press. It is something that just as we see the idea that there should be a zero tolerance policy across government procurement and other standards of conduct for say, for instance, diplomats and other government personnel, that the peacekeeper issue continues to have to be examined. And not simply examined in saying that this is a problem, but needs to be dealt with a little bit more head on.

So I think at the end of the day, this is a shared frustration that we have. There is no reason why the very people who are supposed to bringing stability to an area should be engaged in this type of activity.

Mr. SMITH. Let me just ask you briefly on the issue of juicy bars in South Korea, the report states that despite increased regulations on the E6 entertainment visas, some foreign women and they are mostly Filipino women who enter the country on this visa are forced into prostitution. We know from the past that many of these

women, like I said are Filipino women and they are forced to prostitute themselves in these bars. If they don't meet their quota, they don't get paid or they are forced to make it up with prostitution.

We know for a fact, as a matter of fact, I held hearings on that as well, that the U.S. has tried to put these places off limits, yet there still is a problem and it seems to have made a comeback as is in the report. And I have heard independent analyses, too, some in Stars and Stripes and some of the other newspapers that have reported on this as well. It continues to be a problem.

What can we do both in countries like the Philippines to try to ensure that these women are not lured in under false pretenses; and South Korea which obviously has done a fine job with its own legislation and its own policy and our own armed forces there to make sure that this issue ends?

Ambassador CDEBACA. I do think that as you said the legislative framework in South Korea is certainly adequate for this. It has only been now a few months in which we have had the new anti-trafficking law and I think that that is something that again, as with some of these other countries that have new laws, we are hoping that that will end up having a good effect on some of these situations.

Frankly, the 2004 antitrafficking law was cumbersome. It really wasn't something that was as useful as a number of the modern antitrafficking laws around the world. While I haven't specifically had a chance to talk to our South Korean counterparts about it that one of the things that was getting in the way of prosecuting the juicy bars, I do know that that was getting in the way of prosecuting all of the forms of both sex trafficking and labor trafficking. And so it is something that we think will have kind of a lifts all boats, that type of effect on this area of the economy as well.

I think we all look at the last 10 years as far as U.S. armed forces in Korea and trying to clean up some of the situations there as a success. It seems as though, however, our overt nature of the sex industry that we saw at the beginning of the last decade with easily exposed child prostitution and other things just by having folks with hidden cameras walking down the street, that those things have now kind of passed from the stage. And so we see that notion of the juicy bars, for instance, as being something that is more difficult to investigate and prosecute, because you have to really peel back what is going on. It is not the overt brothel type of situation that we saw in the past. But it is something that as we work with our Korean counterparts, we have seen a lot of intensive engagement on their part in the last year, very encouraging and I think that with this new law hopefully that will provide the tools that are necessary to go out and investigate these cases.

Mr. SMITH. Let me ask you with regards to the Roma, which most people in America are probably unfamiliar with, but they are the largest most discriminated group in all of Europe. There was a report done by the European Roma Rights Center, as a matter of fact, I offered a resolution at the OSE Parliamentary Assembly focusing on the Roma and the disproportionality of how many Roma women are trafficked into sex work. And I am wondering what our country is doing, while Roma are not a problem here in any large numbers, to encourage our European friends whether it

be Romania or any other nations where they are trafficked to really take a serious effort to enfranchise the Roma, to work on education opportunities, job opportunities, to go after the systemic problems that lead to the trafficking and the statelessness that they so often suffer from?

Ambassador CDEBACA. Indeed, I think that some of the broader issues that you raise with the Roma are things that our counterparts in the Bureau of Democracy, Human Rights, and Labor deal with more directly. But for our part in the Trafficking Office, the Roma are always on the agenda when we are dealing with the European countries. I think that we have seen as a result of that, especially the uptick in cases being done to protect the children that are in the child begging situation. Five years ago, you would see even after I started as Ambassador-at-Large, you would have those conversations with our European counterparts and the response was those are a bunch of little criminals or oh, well, that is just a child protection type of situation that they should be in school rather than out begging.

Now we have seen, especially in the last 2 years, a recognition on the part of a number of European governments in the ways that matter by arresting the gang leaders and helping the children, that the children, the Roma children and the begging rings are not little criminals. They are actually victims. I think that that is something that anything that we can do to make that more of a compassionate rather than an immediate rejection on the part of Western European law enforcement toward Roma community, opens up that space in which they can treat the Roma with the respect and dignity that we are looking for on our broader human rights response to Roma issues.

Mr. SMITH. Ms. Bass?

Ms. BASS. Just switching subjects a little bit, there is this case of a Nigerian woman who was in a European country who cooperated. She was a sex trafficking victim. She cooperated. She testified. The trafficking folks were put in prison. And then they decided to deport her and my question to you is what are we doing? I know we have those cases here occasionally. But what are we doing with other countries? It was Denmark. Are we working with other countries to get them to—and for this specific case which is one that is going on now. I don't know if there is a way for us to—

Ambassador CDEBACA. I think one of the things that as we look at the situation, what you described, unfortunately, especially after the 1996 Immigration Reform Act, became the norm for a few years because we didn't have a way to keep trafficking victims in the United States. There was 1 year where I think I used, when I was a prosecutor, I used the full allotment of the visas that were created by Congress for people who flipped against their organized crime counterparts. I just went out and used them for trafficking victims because nobody told me not to. I think that what we see in the European context is that that ability to freelance a little bit, that we see on the part of innovative law enforcement folks here in the U.S. is not kind of within the cultural DNA of European law enforcement. It is very much you only do something if there is a

law that authorizes you to do it and then you apply the other law. So there is kind of two systems of law, authorizing and otherwise.

What we see in the European context, I think, though is that starting with the Italians in 1998 and then moving across Europe, that notion that trafficking victims should not be jailed and deported and it starts off with the idea of a reflection period, time to stabilize, time to be able to have social services. But on the back end, that notion that you should have the opportunity to stay in the country and work and be a productive member of the society that you had tried to go to but then were abused in. And I think that that is something that as we look at the European context, the European Directive which is their piece of legislation on trafficking that now applies to the entire European Union, it has in it that notion of non-deportation-based remedies for the trafficking victims.

It is the one reservation, as I understand it, that the Danes when they signed the European Directive, they actually reserved that and so they chose to not be governed by that provision.

We have seen the effect of Article 4 of the European Directive even just in the last few weeks when the High Court in London issued an order saying that the children who were being found in drug manufacturing factories in Britain could not be deported and cannot be jailed and deported because they were victims. That certainly is the type of response that we would like to see on the part of Denmark. It is the type of response that the rest of Europe seems to be moving toward organically and we hope that as colleagues, as folks who have a good human rights background on other issues and folks who want to be with the rest of us on kind of the cutting edge of victim care, that we can prevail upon our friends in Denmark to look at the situations like the one that you described perhaps from a different angle. We have got a new Ambassador going out this fall and I think it is something that hopefully we will be able to talk with him about what the priorities could be. Thank you, Ms. Bass.

Mr. SMITH. Just a few final questions and then we have another vote. On the Demmick case. I was just in Istanbul and did a side meeting with the lawyer with two of the exploited boys by the former Justice Minister Demmick from the Netherlands. The newest information is that he was there, according to the Turkish Government in 1996. He had denied that he was there and I am wondering, I know you had looked into it when you, too, were in Turkey. If you might be able to shed some light on that case.

And if you could speak to Egypt. I have actually chaired three hearings and I am so frustrated that we have been unable to get any kind of traction with the administration. And I don't mean you, but with Ambassador Patterson or with the DRL Office on the forced abduction of Coptic Christian girls who are then forced into Islamic marriages and they can never go back because if they go back they are accused of apostasy and subjected to a horrible potential fate. And yet, Michele Clark, the former number two at the ODIHR in the OSCE worked on trafficking, investigated it herself and said that this is a very serious problem and it has gotten worse under the Morsi regime. Although he is not there now, it did get worse during his time in office. And I am wondering if you might

shed some light on that terrible cruelty of again abducting children and then forcing them into marriages in Egypt.

Ambassador CDEBACA. One of the things that we have seen with especially in the Egyptian context in the forced marriages and the thing I think that there has been more widespread reporting on is the other half of that, the abduction and sale of girls for what has been called the summer marriages. It is something that we have seen as an on-going problem and something that we are starting to be able to get our hands around.

As far as the forced abduction of Coptic girls, whether that is forced abduction for the bringing in of marriages or for conversion, it is something that we continue to look at. I think you are correct, Mr. Smith, the notion of the changes in the government have made it harder to have our hands around.

One last thing and for the record with Mr. Smith having left, it is good to hear that there is some new information on the Demmick situation coming out of the chairman's trip to Turkey and it is something that we will certainly be wanting to follow up with as far as making sure that we have the most current information about what your steps to investigate that case are so that we are able to inform ourselves in our discussions with the folks over in the Netherlands and in the Turkish Government. So it is something that we will follow up on with staff as well.

Mr. MEADOWS [presiding]. I thank you and the chairman is stepping out for votes. This has been one of those days where nothing goes according to plan, so I appreciate your flexibility.

If you could perhaps share a little bit about the encouragements or discouragements with regards to Russia and Uzbekistan, what are some of the things we need to look at or highlight and help with you to work on?

Ambassador CDEBACA. You know, I think one of the things that we have seen this last year with Russia as part of—obviously, we have got the six countries that we are facing the auto-downgrade provisions of the TVPA. So that was Iraq, Azerbaijan, Congo-Brazzaville, Russia, China, and Uzbekistan. I think it is illustrative when you are looking at the three countries that ended up going down to look at the countries that went up because it is kind of—by looking at the negative, we can see what could have happened.

Even a country with as little capacity as Congo-Brazzaville was able to investigate and bring prosecutions for the first time. Iraq, being able to pass antitrafficking legislation, sending people into the women's prisons to sort folks out who had been arrested for prostitution offenses and identifying a handful of women to let out of prison saying these were actually victims rather than perpetrators. Azerbaijan doing the first cases against people who were holding men in forced labor in the construction industry. All of those countries then being able to look at them and bring them up to Tier II on the report.

If you compare that then to Russia, Uzbekistan, and also China, especially I think in the Russian context you have got a country that is in a different trajectory, a situation where while there are some sex trafficking prosecutions that were being done and there are some very good folks both at the Health Ministry and even

some of the police guys who are out there doing the cases, systemically we don't see the creation even under their own Action Plan, the Commonwealth of Independent States Action Plan. Most of the other signatories to the CIS Action Plan have gone out and brought together the kind of interagency working group that that plan calls for. The Russian Federation has not.

Victim care, shelters closing for lack of government funding as opposed to opening. So it is just a different trajectory than we saw with some of the other countries that were on that Tier II Watch List auto-downgrade six.

In Uzbekistan again, there are some things that were done, especially around sex trafficking cases which were laudable, but they are eclipsed by the notion of the cotton harvest and all of the problems with the state enforcing the labor of its citizens out into that annual exercise without bringing in the folks from the international community and others to really look at whether or not that practice was being brought to an end. So I think that we have seen in both Russia and Uzbekistan the need for continued support from not just having the State Department out there talking about this, but we see the Europeans, we see even the business community talking to Uzbekistan. This is not simply the TIP Office going to Uzbekistan, it is properly our partners around the world, our partners in the interagency and you here in Congress as well. So I think it is that kind of the big voice that all of us speaking together can take out into the world and I think it is starting to have an effect in some of these countries.

Mr. MEADOWS. Do you see some of this—is there any correlation with regards to demographics in terms of a younger population? Is that something that will exacerbate the problem? Are you looking at that correlation or not?

Ambassador CDEBACA. I do think that we have some concerns and it is concerns that when we were working with the Russians on the U.S.-Russia Presidential Bilateral Commission under President Medvedev and President Obama, it was something that very much in the work of my subcommittee which was looking at migration and issues as well as human trafficking that notion of a population in Russia that is kind of emptying out, the notion of a country that is so far below replacement rate, where are the factory workers coming from? Increasingly, they are coming from Vietnam and it was interesting to be in a garment factory, east of Moscow where there was actually a mixed group and to see Vietnamese workers who had learned Russian and were working side by side with their Russian counterparts. That would be, I think, a model of how you have a guest worker situation as opposed to all Vietnamese factories with guards and exploitation and then Russians who would be looking for a job in their own hometown and not being able to get a job down at the garment factory.

So we saw one of the good factories when we were there as part of the Bilateral Commission. But you could tell from talking to our Russian counterparts and others that the demographic shifts in Russia, the weakening of the next generation is of great concern.

Mr. MEADOWS. So you can see the problem potentially getting worse from a human trafficking standpoint? Because I know in this room we have heard testimony with Vietnam in particular in terms

of what we have seen with the trafficking of girls and men, to Russia with a really systemic problem from just the magnitude of what it is. So do you see that continuing to get worse without a concentrated effort to curtail it?

Ambassador CDEBACA. I think one of the things that we have seen in the Russian context is that notion of an economy that still wants to grow very much and especially in the building trades. Both from Vietnam and Central Asia, the notion of just how powerful of a magnet the Russian economy is for foreign guest workers. So it is a Vietnamese problem, but it is also a Kyrgyz problem, an Uzbek problem, a Tajik problem. The estimates that were reflected in the report this year from some of the academics in Russia are that there are upward of 1 million people being held in forced labor in Russia. This is a country of about 140 million people. This is not a country of 350 million or this is not an India or China where you are talking in billions.

Mr. MEADOWS. Right.

Ambassador CDEBACA. So the notion that that high of a percentage already within their workforce is in these circumstances indicative of forced labor, I think is a really warning shot for everyone.

Mr. MEADOWS. And you mentioned earlier about ID and I know that we have ID'd, I guess, 40,000 victims of human trafficking, and yet the problem is probably 27 million, according to your testimony, 27 million people involved in it. How do we do a better job of identifying those victims? Because when we do identify those and we can apply pressures, either diplomatically or through one-on-one exchange, how do we do a better job of identifying that? Is that a resource problem? Is that a strategic problem? You have gone, as you mentioned, 60 people within your organization that I would assume have a heart for these victims. And I recognize that. And what I am saying is I want to give you the tools to make sure that we just don't have these hearings that continue to go on. And we turn the other way. If Members of the Congress have to be heavy, we are willing to do that, I think because of this. We understand that you are in a tough situation, but I want to take the compassionate heart of your 60 employees and say how do we give you the tools to identify the victims and then make sure that we take the appropriate actions, put some teeth to the TIP Report?

Ambassador CDEBACA. I think that in many ways, Mr. Meadows, the situation often comes down to not just the structures, not just the resources, etcetera, but it comes down to political will, that notion of if you have got the head of a ministry or the head of a government who really wants to see numbers of victims who have been helped, then typically the bureaucracy will respond to that in a positive way. And if they don't, it is not going to happen. It is something that about 1½ years ago when we were in the process of the changing relationship with Burma, about 3 weeks or so after Secretary Clinton was there, I was able to go in to Rangoon and I met with Aung San Suu Kyi in the house where she had been held for so many years. And she had a copy of the training manual for the Burmese Police and they have a pretty good little antitrafficking unit even before we opened up the relationship.

And she asked the most important and most inconvenient question that anybody could ask about that training manual. She said

of the 84 people that went to that training last month were any of them now being assigned to work on human trafficking cases?

Mr. MEADOWS. Wow.

Ambassador CDEBACA. And I think that to me really showed me kind of what is that next question. We don't always ask. We look at whether it is in State or USAID, we will often be muttering how many people were trained? How much training materials did we get out? Did we get a new, good curriculum? How many laws have been passed around the world? And those are all very important, but then that question that Aung San Suu Kyi asked is the one that can undo all of those other data.

And when we come to you, whether it is in a report like this or telling you how we are spending the money that you guys are able to appropriate to us, we are often not able to answer that last question. And to me, that is one of the most important things so that the work of not just my 60 people, but all of the people around the world who want to work on human trafficking is meaningful. I think that that is probably, if I had to say one thing, that is the key. It is not simply providing the training, providing the technical assistance, all of the things that we can and do do, but then providing the expectation. Now that we have trained you, are you going to be able to go out and do it? Maybe you call that mentoring, maybe you call that follow up, monitoring and evaluation. There are a lot of things you can call it, but at the end of the day we are looking at what are the results that we can tie back to the training that we are able to provide. I think that when we are able to answer that question better, we are not going to be stuck at 47,000 victims.

Mr. MEADOWS. Right. Let me ask one other question and I will yield back to the chairman as he has come back. When we look at sanctions, when we look at enforcement, what I have found because we have a unique position of bipartisan support with a strong leader like Chairman Smith who is willing to articulate it, even in times when it creates a very uncomfortable situation with people from either Ambassadors or people in leadership of other countries, but we have a bipartisan support that will not only talk about sanctions, but will go to action. And without naming names, the chairman had mentioned about a sanction on a particular country and about putting forth some legislation to support that and resolutions to support it.

It got the attention, as it should because it was not a bluff. It should have gotten the attention, but it got the attention of that particular nation. And because of that we have got a meeting coming up that will start to address some of the human rights violations in this particular country.

Can we do that and working with the State Department in a more effective where it is again, not the words of somebody with a mic on a hearing, but it is really the actions that are backed up by that? Do you think that would be helpful?

Ambassador CDEBACA. I think that type of engagement is always helpful. I think the details of any particular—whether it is a sanctions package or whether it is a particular diplomatic approach, we have to look at the context in a particular government, but I think that that notion of lashing up as much as we can and more than

we have been doing, I realized the other day when I was talking to my staff that we have been so busy on a lot of these things that we haven't necessarily been suggesting or supporting congressional travel and so a lot of members have not been to the shelter. They haven't met with the antitrafficking police unit out there. And it is something that we know that we need to step up so that you guys can see that when you are on the road, whether it is part of a previously scheduled trip or something specific to this. I use that only as an example of that notion that we need to perhaps look at how we are doing this and how that lashes up with the work of the committee and the work of the individual members so that we can make sure, especially in a time of shrinking budgets and challenges around the resources that we have, that we are making up for those things by having not just the 60 people in my office, but 535 others and their staff who can go out and help get this message out around the world.

Mr. MEADOWS. Well, if you would take the message back to your staff and to all of those that are there that we appreciate the effort that they are putting forth on behalf of this unbelievable just blight on our world. And with that that we appreciate it. It is very easy when you look at 27 million people to start looking at them as numbers that are too big to handle. But every little girl that is trafficked is someone. They have a dad. They have a mom that cares individually about that person. We have heard just unbelievable testimony on this who are parents who have talked about their children where people have been sold into slavery as wives twice and it just breaks my heart. And so there is a tendency to look at it as big numbers.

I want to say that every single one of those is an individual case and I want to encourage those to not look at budget cutbacks and anything else as an indictment on their work. It is a sign of the times, but we are willing to work with you in a real way to make a real difference.

I yield back to the chairman. I thank him for his work.

Mr. SMITH [presiding]. Thank you very much, Mr. Meadows. Thank you, Ambassador CdeBaca, for your testimony, your leadership. Is there anything you would like to say before we close?

Ambassador CDEBACA. One last thing I would like to say, Mr. Smith, if you look at this year's report, there is a lot of ways that people read the report. The first day a lot of people from the press they read it for ups and downs and what the horse race aspect of it are. A lot of folks, they will read it just as what does it say about the country that I am from or the country that I care about, etcetera. The reason that victim identification as a theme of the report this year, I think had some resonance. If you look at the introduction of the report, it really sets out that notion of kind of what is victim identification? What is best practices, etcetera. And I think it all flows back to this point that Mr. Meadows just made, that notion that every one of these is a person. We are doing this because people are being enslaved.

We all have to work on big, important issues that are more kind of policy issues where we are dealing with the ebb and flow of international commerce or geopolitics or things like that, but at its heart human trafficking is evil because individual people are being

victimized. And that is something that I think that this committee and you through your leadership, but I think everyone in the U.S. Government has come to realize. And so it should be no surprise when folks look at the last page of the report, the note from my staff that what we focus on is that notion of the victim. There is many ways to read this report, but we hope that people take away are not the tragedies that are in it, but on that last page the picture of those nine or ten victims who have now become survivors, who have become advocates. It shouldn't be their tears that we think about or that we say that defines them, it should be their smiles and their determination because they know that they have a voice and that this is a room where it can be heard.

Mr. SMITH. On that, thank you very, very much. The hearing is adjourned.

[Whereupon, at 1:11 p.m., the subcommittee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Christopher H. Smith (R-NJ), Chairman

July 3, 2013

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at www.foreignaffairs.house.gov):

DATE: Thursday, July 11, 2013
TIME: 11:00 a.m.
SUBJECT: The State Department 2013 Trafficking in Persons Report
WITNESS: The Honorable Luis CdeBaca
Ambassador-at-Large
Office to Monitor and Combat Trafficking in Persons
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, Global Human Rights, and International Organizations* HEARING

Day Thursday Date July 11, 2013 Room 2172 Rayburn HOB

Starting Time 11:18 a.m. Ending Time 1:11 p.m.

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Rep. Chris Smith, Rep. Meadows

Check all of the following that apply:

Open Session

Executive (closed) Session

Televised

Electronically Recorded (taped)

Stenographic Record

TITLE OF HEARING:

The State Department 2013 Trafficking in Persons Report

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Meadows, Rep. Bass, Rep. Bera

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

Rep. Royce

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.)

Questions for the record from Rep. Bass for Ambassador CdBaca with responses

Question for the record from Rep. C. Smith for Ambassador CdBaca with response

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 1:11 p.m.

Gregory B. Simpson
Subcommittee Staff Director