



United States Mission to the OSCE

Statement on Trafficking in Persons

As delivered by Deputy Assistant Secretary for Population, Refugees and Migration. Kelly Ryan, Delegation Member to the Human Dimension Implementation Meeting, Warsaw October 8, 2004

The United States is deeply committed to combating trafficking and to protecting its victims including those in the United States and abroad. In his speech to the United Nations General Assembly in September 2003, President Bush pledged \$50 million in additional funding to support organizations that rescue men, women and children from bondage and give them shelter and medical treatment. The Republic of Moldova was recently selected to receive a portion of this strategically-targeted funding because of its demonstrated will to cooperate on anti-trafficking initiatives. One innovative project in Moldova will be the creation of a vetted police unit to investigate trafficking offenses.

Domestically, we have had further legislative gains, in December 2003, the President signed a reauthorization of the landmark *Trafficking Victims Protection Act of 2000*. This new legislation demonstrates the great importance my government continues to place on this issue and the need for governments to consider legislative adjustments.

The *Trafficking Victims Protection Reauthorization Act* requires the Attorney General of the United States to submit an annual report to Congress on U.S. efforts to fight trafficking. This means that the United States now assesses its own anti-trafficking programs just as it reviews worldwide counter-trafficking efforts. The State Department is also required to submit to Congress the *Trafficking in Persons Report*. The most recent *Trafficking in Persons Report* issued in June 2004 concludes that 140 countries, including 44 OSCE States, are countries of origin, transit or destination for a "significant number of victims" of trafficking. It is a sign of welcome progress that for the first time since the report's inception three years ago, no OSCE State was included in the report's list of countries that are not making significant efforts to combat trafficking. Eleven OSCE countries, however, appeared in the newly created "Tier 2 Watch List" category, which indicates that their anti-trafficking efforts, while important, have to be strengthened in the coming months.

In keeping with OSCE commitments, participating States have made significant strides in combating trafficking. According to U.S. government estimates some 17,500 are trafficked into the United States and some 800,000 are victims world-wide. It is clear that trafficking will continue to flourish if those who commit these crimes are permitted to act with impunity. The number of new anti-trafficking laws enacted in the last reporting period (March 2003-March 2004) -- 24 worldwide -- as well as the more than 8300 prosecutions worldwide give reason for optimism.

Nonetheless, the scope of the problem demands even more concerted efforts. Many aspects of trafficking addressed in this session at previous Human Dimension Implementation Meetings remain pressing concerns. For example, while the number of prosecutions is on the rise, traffickers are not yet uniformly facing stiff sentences. The imposition of penalties that are commensurate with other severe crimes is essential for deterring would-be traffickers.

Moreover, some OSCE States continue to need legislative changes to provide assistance and protection to trafficking victims, especially during pre-trial investigations and court proceedings. We have found that successful prosecutions are dependent upon effective victim and witness protection. When victims are assisted and protected, they feel able to testify safely and freely against their traffickers. A crucial element of victim protection is the provision of an option to reside in the country of destination. Deportation of victims without assistance to help them to reintegrate in their home countries puts them at risk for re-trafficking -- and even death -- from retaliating traffickers. Research indicates that 50% of trafficking victims will be re-trafficked if deported without assistance. The United States continues to urge governments to adopt comprehensive laws that not only prohibit trafficking but also create broad provisions for victim protection and assistance.

In addition, each of us can also begin to look for new ways to attack this problem. An essential part of this will be to address trafficking from the demand side. In April 2003, President Bush signed what we call the "PROTECT Act", which allows the prosecution in American courts of U.S. nationals who commit sexual abuse of minors abroad. This heinous practice is popularly known as "sex tourism." These child abusers now face up to 30 years imprisonment. In the first eight months of enforcement, U.S. law enforcement authorities arrested 25 Americans for child sex tourism offenses. Several of these people are already serving prison sentences. But the United States is not alone in facing the problem of child sex tourism. Indeed, citizens of many OSCE participating States, including in Western Europe, participate in such travel. The United States urges all OSCE participating States to provide funding for preventive education within their countries in an effort to curb demand, and examine and revise their laws to provide the necessary legal tools to apprehend sex tourists or other nationals who participate in trafficking-related activities abroad. It will also be important for demand countries to partner with receiving countries in sharing information on these cases in an effort to convict the perpetrators.

Likewise, the United States calls attention to the need to address the demand for trafficking created by military and civilian peacekeepers and other international personnel in conflict and post-conflict regions. In December 2002, President Bush directed the U.S. Armed Forces to adopt a "zero tolerance" policy toward any practice associated with trafficking. Acting on this, the U.S. Department of Defense initiated an anti-trafficking plan requiring members of the U.S. Armed Forces and U.S. contractors deployed overseas to receive trafficking awareness training. The United States also welcomes NATO's new counter-trafficking policy for all forces serving in NATO-led operations. Domestic criminal laws with extraterritorial applicability will also be needed in order for troop-contributing countries to enforce this policy.

The United States is committed to the full implementation of the OSCE Action Plan on Combating Trafficking in Human Beings. We welcome the newly operational anti-trafficking mechanism created by the Maastricht Ministerial Council to further the Action Plan's stated objectives. As OSCE participating States, our fight against human trafficking is a collective one. Cooperation throughout the region and the world is imperative. While we must assist each other in building anti-trafficking projects and networks, the primary responsibility for combating trafficking remains with each government.

In short, we have come a long way in the last few years in our ability to fight trafficking. We have created laws to combat trafficking and to protect victims. We have vastly increased public awareness of the problem. International organizations have developed guidelines and

strategies. But we are far from ending the scourge of human trafficking. We are now at a phase where implementation is critical. The U.S. believes that the OSCE is a key forum for combating the problem, and we look forward to further progress as we continue to cooperate closely in the months ahead.