



## **Tom Lantos Human Rights Commission**

### **The Trafficking Victims Protection Act at 20: A look Back – and a Look Forward**

**Wednesday, January 15, 2020  
2:00 – 4:00 p.m.  
2200 Rayburn House Office Building**

#### **As prepared for delivery**

Good afternoon. I join Co-Chair Smith in welcoming you to today's hearing on the Trafficking Victims Protection Act, the T.V.P.A.

I would like to extend a special welcome to our witnesses. I am glad that both the State Department and the Department of Health and Human Services are joining us today. We appreciate the work you do.

Human trafficking is the process by which individuals are placed or maintained in an exploitative situation through force, fraud or coercion for purposes for economic gain.

It affects men, women and children, and involves a wide range of practices including commercial sexual exploitation, forced labor, forced marriage, involuntary domestic servitude and the use of child soldiers.

Human trafficking concerns this Commission because it involves the violation of so many human rights -- from the discrimination that makes some populations vulnerable in the first place, to the violation of the rights to liberty and security, freedom of association, movement and just conditions of work.

These rights and many more are abused for victims of human trafficking.

For the last two decades the U.S. response to the scourge of human trafficking has been guided by the Trafficking Victims Protection Act as amended and reauthorized. We are here today to take stock of the contributions of the T.V.P.A. to the global fight to eliminate human trafficking, and to identify challenges going forward.

I think it's important to start off by recognizing the good news.

Since 2000 attention to human trafficking has grown both internationally and within the United States. Around the world, the number of countries that have criminalized human trafficking has increased significantly.

Human trafficking is an area where U.S. and international law are pretty well aligned, and in which the U.S. has played an important leadership role.

But when I look at the map of country rankings in the 2019 Trafficking in Persons Report, only 33 of 184 countries are fully compliant with minimum standards to combat severe forms of human trafficking. That's 18%. "Tier 2 Watch" plus "Tier 3" countries count for nearly twice that share (32%).

By the way, being a "Tier 1" country doesn't mean a country is out of the woods. The U.S. has strong laws on the books and good strategies to combat human trafficking within our borders. But we still have a real problem with illegal sexual and labor exploitation.

So there's plenty of work left to do.

One of our objectives today is to identify recommendations for action by Congress.

When it comes to human trafficking, Congress has been deeply engaged on a bipartisan basis. T.V.P.A. reauthorizations have provided a regular opportunity to revisit and improve the law, and I will be interested to hear what additional improvements our witnesses will recommend.

For example, should the minimum standards for the elimination of trafficking be more specific with regard to the knowing commission of acts of labor trafficking?

I also hope we will ask how anti-trafficking efforts interact with the larger human rights picture within countries and with overall U.S. human rights policy, both in terms of law and practice.

Can we be successful in reducing human trafficking in countries that are riven by corruption or do not have effective justice systems? Especially if the problem of trafficking is as much domestic as international?

How successful can we be in combatting labor trafficking in countries that thoroughly disrespect labor rights?

At a minimum I have to think that the underlying human rights situation in a country, including its respect for economic and social rights, shapes success when it comes to prevention and prosecution.

I also wonder whether we hold our allies to the same standards as our adversaries in evaluating their progress in fighting trafficking and holding them accountable.

In 2019, for example, Colombia was ranked as “Tier 1” in spite of persistent and long-standing reports of recruitment of child soldiers.

In the western hemisphere the “Tier 2 watch” and “Tier 3” countries are those with which we have the most difficult relationships, including Cuba and Venezuela.

Yet India, which many experts believe has the largest number of victims of trafficking, and Qatar, which has a well-known problem of passport retention, are both “Tier 2” countries.

There are a lot of factors involved here and weighing all of them is difficult. That said, is there more we can do to insulate the TIP report, a very valuable tool, from the risk or even the perception of politicization of the rankings?

Going forward, are the challenges we face best addressed by continuing to update the T.V.P.A. or do we need to focus instead on implementing the laws we have? Or on improving legislation that specifically addresses issues like the use of forced labor in supply chains?

These are some of the questions on my mind on this important anniversary. I look forward to hearing the views of the witnesses.

Thank you.