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Before the
U.S. Senate Committee on Foreign Relations
Hearing on the 2015 Trafficking in Persons Report

August 6, 2015

Chairman Corker,
Senator Cardin,
Members of the Committee,
Ladies and Gentlemen,

Thank you, Mr. Chairman and members of the committee, for your leadership in combating trafficking in persons. I know this is an issue of particular concern for the committee, and I look forward to continuing to work closely with you to tackle this insidious crime and human rights abuse. The release of this year's Trafficking in Persons (TIP) Report underscores the importance the Administration and Secretary Kerry place on combating modern slavery.

This year marks the 15th installment of the Report, as well as the 15th anniversary of the Trafficking Victims Protection Act (TVPA). The Report reflects a year of dedicated effort by not only the Department of State's Office to Monitor and Combat Trafficking in Persons (TIP Office), but also its other bureaus and offices and missions around the world.

Working year-round across offices and continents, the Department engages governments and civil society; collects data; navigates local laws, develops best practices; and objectively assesses each government's efforts – including our own – to comply with the minimum standards for the elimination of trafficking in persons established by the TVPA.

In this process, we assess the adequacy of national laws in prohibiting and punishing human trafficking and evaluate government actions to prosecute suspects, protect victims, and prevent further trafficking – the “three Ps.” Based on the country assessments, the TIP Report ranks countries and territories on different tiers in accordance with the minimum standards outlined in the TVPA.

A Tier 1 country fully complies with these minimum standards. A Tier 2 ranking indicates that a country's government does not yet fully comply with the minimum standards, but is making significant efforts to bring itself into compliance. By contrast, a Tier 2 Watch List country indicates that a country is also making significant efforts to comply with the minimum standards, but also meets one or more of the following three conditions: (1) the number of trafficking victims is very significant or is significantly increasing; (2) the government failed to provide evidence of increasing efforts from the previous year; or (3) the government committed to make significant anti-trafficking efforts over the next year. A Tier 3 ranking applies to a government that does not fully comply with the minimum standards and is not making significant efforts to bring itself into compliance.

In most cases, this assessment process clearly places governments into one of the tiers; in other cases, further discussion among senior Department officials is required to clarify information and assess the totality of government efforts. This ultimately leads to the Secretary of State's designation of Tier rankings for each country and approval of the TIP Report.

Tier rankings do not assess the severity of human trafficking in a given country, but rather that government's *efforts* in addressing human trafficking problems over the current reporting period compared to its own efforts in the prior year.

Determinations about the direction and quality of that progress in a given country are guided by complex criteria outlined in the TVPA and described on pages 45 through 50 of the TIP Report.

The TVPA establishes criteria for the "minimum standards" in combating trafficking and delineates additional criteria for assigning Tier rankings to governments for their anti-trafficking efforts.

The minimum standards have four key elements. The first three revolve around the adoption of adequate anti-trafficking laws. This is seen as a critical hurdle for states, because it establishes a comprehensive legal standard to effectively prosecute and penalize perpetrators.

The fourth element of the TVPA's minimum standards is whether a government has undertaken serious and sustained efforts to eliminate trafficking over the current reporting period. The TVPA provides 12 indicia to assess those efforts, and several of these include additional criteria. Thus, the assessment and ranking

process involves a comprehensive set of factors whose trajectories often vary significantly with respect to overall progress.

The complexity of the TVPA assessment criteria reflects Congress's intention to have the Department consider multiple factors in the TIP assessment process, including not only government actions – but in the case of Tier 2 Watch List – government commitment to take further action. They also include contextual factors, such as the severity of the problem and feasibility of further progress given available resources and capacity.

This rigorous assessment process, which implements the standards of the TVPA and ranks all the countries' efforts on an annual basis, is what makes the TIP Report the “gold standard” in anti-trafficking assessments. It is one of the most effective diplomatic tools our government has for encouraging a foreign government to improve its anti-trafficking efforts.

In the 2015 Report, 18 countries were upgraded and 18 were downgraded. In comparison, 15 were upgraded and 19 were downgraded in the 2014 Report. There were encouraging trends this year: Portugal and the Bahamas moved to Tier 1, while others like Kenya, Panama, and Bosnia-Herzegovina moved from the Tier 2 Watch List to Tier 2. There has been considerable focus on countries that moved from Tier 3 to the Tier 2 Watch List this year; the Democratic Republic of the Congo (DRC), Cuba, Malaysia, Papua New Guinea, Saudi Arabia, and Uzbekistan moved up to the Tier 2 Watch List from Tier 3.

For countries that moved up to Tier 2 Watch List this year, the Department closely evaluated the efforts those governments had made during the reporting period as well as the commitments they made for next year. Our posts are working with host governments to encourage them to implement the recommendations outlined in this year's Report, and the TIP Office is finalizing assistance programming strategy to help make those recommendations a reality. I am receiving reports from the field on the frank and focused dialogues Embassy personnel are having with host government officials on how to overcome the challenges they face to better combat this crime and protect their citizens.

The challenges are great – even for Tier 1 countries like the United States. Yet, every time I meet with trafficking survivors – which I recently did in Uganda, India, and Albania – I am reminded of how crucial this work is. By prioritizing this issue, the U.S. government has already changed the lives of millions across the globe. Congress has played a leading role in this effort, from passing the TVPA to

providing yearly resources to support anti-trafficking initiatives on the front lines of this global struggle. Though we should be encouraged by this progress, we cannot rest until the scourge of modern slavery has ended and all its victims are free to choose their own destinies.

Thank you again for your support, and I look forward to your questions.