

Written Testimony of Acting Assistant Secretary Scot Marciel

“Combating Forced Labor and Modern-Day Slavery in East Asia and the Pacific”

**Before the
U.S. Senate Foreign Relations Subcommittee on
East Asian and Pacific Affairs**

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Introduction

Chairman Cardin, Ranking Member Rubio, Members of the Subcommittee, thank you for the opportunity to testify today on human trafficking in the Asia-Pacific region. It is a privilege to stand alongside my colleague Ambassador CdeBaca whose experience and expertise help us boost anti-trafficking efforts across the Asian-Pacific region.

I would also like to thank the Subcommittee for its contributions to combating human trafficking, and to thank you, in particular, Mr. Chairman, for your leadership on this issue.

Trafficking in Asia-Pacific

Human trafficking remains a visible and pressing concern in East Asia and the Pacific. While governments across the region have an increased awareness of trafficking in persons, corruption and a lack of political commitment hinder more substantial gains in some countries. Many governments in the Asia-Pacific have developed adequate legal and policy frameworks to deal with human trafficking, and several have recently enacted laws that comprehensively combat this crime; however, implementation of these trafficking laws is sometimes weak. It is important to note that, in some countries, the limited progress we have seen on anti-trafficking efforts is linked to a broader set of challenges facing the government. When civilians routinely encounter police intimidation, corrupt judges, or poorly trained immigration officials, human rights violations go unnoticed, unaccounted for, and multiply. In countries where this occurs, State Department officials seek sustained adherence to rule of law, democratic practices, and good governance. Expanding democracy and respect for human rights is

central to our policy in Asia-Pacific, and combating human trafficking is a priority for the bureau domestically and at our embassies abroad.

The East Asian and Pacific Affairs (EAP) bureau collaborates closely with the Department's Office to Monitor and Combat Trafficking in Persons (the TIP Office) not only to draft and publish the Trafficking in Persons (TIP) Report, but to work throughout the year on strategies and programs aimed at preventing trafficking, protecting victims and vulnerable populations, and prosecuting offenders. In Washington and in our embassies, EAP and the TIP Office regularly share updates, lessons learned, and expertise to secure on-the-ground "buy-in" from governments, civil society organizations, and international partners to effectively combat trafficking in persons. We place a huge emphasis on working together to encourage foreign governments to improve their anti-trafficking responses.

As mentioned in this year's TIP Report, simply equating human trafficking to sexual exploitation misses much of the story. Labor trafficking, prevalent throughout the region, is also a crime against human dignity and human security. Worldwide the majority of trafficking victims are held in labor trafficking situations, though we know sexual exploitation often occurs with labor trafficking as well.

The EAP bureau understands the importance of addressing all forms of trafficking and, with the TIP Office's support, has strongly encouraged governments to do the same. As a direct result of the annual TIP Report and sustained U.S. engagement, some foreign government officials no longer ask for the definition of trafficking or for proof that it exists within their respective borders. Rather, many officials are now asking what steps they can take to improve their anti-trafficking efforts. In short, the TIP Report has facilitated substantive discussions abroad to strengthen political will, to draft and implement TIP legislation, and to further increase public awareness on the issue.

Because so much of this important work is done by our embassies, in the next few minutes I would like to highlight a few examples over the past year where U.S. embassies in the region have worked with host governments and civil society to combat trafficking. Our work in the region is vital, not only because it increases awareness of and local capacity to address TIP, but also because, in private and public engagements, we persistently stress to host governments the importance of increased action and attention to sex and labor trafficking.

Our embassy in **Cambodia** remains active in boosting anti-trafficking efforts in cooperation with the government and has recently hosted the first ever anti-trafficking TechCamp where technologists and civil society organizations developed creative, low-cost, and easy-to-use solutions for areas with historically high rates of trafficking. Ambassador Todd not only personally invited Cambodian youth to volunteer throughout the TechCamp, but also publicized the success of the local event on his official blog.

Additionally, Embassy staff worked with the Cambodian Ministry of Labor to develop an interactive voice response system, which makes information on safe migration more readily available by phone throughout the country. In the area of victim protection, we have helped over 760 victims in the past year and will continue to support services to trafficking survivors, including repatriation, medical care, psycho-social support, reintegration, and legal aid. To improve efforts to prosecute trafficking crimes, we are working with the Ministry of Justice to develop policies and guidelines for conducting undercover investigations of human trafficking.

In **China**, Department officials continue to encourage the Chinese government to improve efforts to prosecute trafficking offenses and protect victims, make legal reforms to prohibit all forms of trafficking, end forced labor in state-sponsored detention centers, and transparently share information on its anti-trafficking efforts. Embassy Beijing continues to advance the U.S. government's anti-trafficking agenda with counterparts within the Chinese Ministry of Foreign Affairs and PRC law enforcement ministries; and by actively recruiting up-and-coming Chinese officials to participate in International Visitor Leadership Programs (IVLPs) and other capacity-building programs.

Since FY2012, we have sent six professionals from **Malaysia** to the United States on TIP-focused exchange programs (International Visitor Leadership Program) and plan to send another four in FY 2015. In our diplomatic engagements, we regularly and strongly urge Malaysian officials to improve treatment of trafficking victims by reforming its current victim protection regime.

In the **Pacific Islands**, we encourage additional efforts to address forced labor on fishing vessels in the Pacific and other forms of trafficking. The U.S. ambassador and his staff supported the **Republic of the Marshall Islands (RMI)** Attorney General's Office's request for technical assistance and legal advice for the TIP Task Force as it writes the RMI's TIP legislation. The Embassy reached out to the TIP Office to request short-term training and technical assistance; the request was

approved by Ambassador CdeBaca, and the TIP Office plans to provide assistance in the coming year. Planned technical assistance includes a component for police and prosecutors on how to identify and prosecute TIP using the laws proposed. Partnerships like these, where we provide some support and guidance to governments with a significant stake in positive outcomes, will bring long-term success.

As Ambassador CdeBaca notes in his testimony, **Thailand** made a concerted effort over the past year to improve its anti-trafficking data collection and continued to prosecute and convict traffickers. Despite this progress, the government did not make sufficient efforts to address forced labor among foreign migrant workers – including in the fishing industry – and to address reported official complicity in human trafficking.

Embassy Bangkok will continue to support NGOs that help provide access to justice for migrants and trafficking victims. Department staff will also continue to work to enhance Thai capacity to investigate trafficking cases and prosecute perpetrators by training law enforcement officers at our International Law Enforcement Academy (ILEA) in Bangkok and by arranging other police-to-police cooperation and networking with counterparts along the Thai border. Embassy Bangkok will also arrange the placement of a technical advisor in the Ministry of Labor to help guide policies on forced labor trafficking.

In Thailand and elsewhere, our ambassadors and embassy staff engage regularly with host government officials, local civil society organizations, and international partners to stress the importance of increasing efforts to combat sex and labor trafficking. I would like to reiterate how important it is ensure that both local politicians and local civil society leaders are taking ownership of the TIP problem in their respective countries. For example, with continued U.S. embassy support on TIP, the **New Zealand** government has partnered with the Salvation Army to identify and educate vulnerable populations in specific communities on the dangers and characteristics of forced labor.

Lastly, I would like to highlight our regional TIP efforts. With U.S. encouragement, the Association of Southeast Asian Nations (**ASEAN**) held its 6th Expert Group Meeting on Trafficking in Persons last month. The group is working to create a regional plan of action and hold a workshop on human trafficking later this year. With the TIP Office funding, the State Department supported what became the first-ever ASEAN-United States joint regional project to combat human trafficking, fulfilling a Presidential commitment from November 2012.

The TIP Office issued a grant to the American Bar Association's Rule of Law Initiative to train heads of specialized anti-trafficking units from all ten ASEAN member countries with ASEAN Secretariat support and enhance cross-border collaboration to combat human trafficking.

With U.S. government funding, the MTV End Exploitation and Trafficking (MTV-EXIT) campaign has raised a tremendous amount of TIP awareness in Southeast Asia, particularly with the youth demographic. In Indonesia, I personally witnessed how an MTV-EXIT campaign in West Java in September 2012 raised public awareness by engaging with literally tens of thousands of people, influential local leaders and politicians, and millions more via live broadcast on TV. Additionally, in January 2013, MTV-EXIT made roadshows and youth engagement activities in several cities in Indonesia such as in Pontianak (West Kalimantan), Lombok (West Nusa Tenggara), and Sukabumi (West Java). Education on human trafficking is especially important to facilitating change in this region, where trafficking is so widespread. This program has been extremely successful and an important part of our successes in Southeast Asia.

Conclusion

As we look toward the future, our bureau and embassies and consulates in the EAP region are committed to working with foreign governments to help them more effectively combat human trafficking. EAP and the TIP Office will continue to collaborate to assess the situation; develop programs and diplomatic strategies to better combat trafficking; and encourage governments to take action to prevent trafficking, protect victims, and prosecute traffickers.

Mr. Chairman, I thank you for the opportunity to appear before you today to discuss human trafficking in Asia-Pacific. I look forward to answering any questions the Subcommittee may have.