



United States Mission to the OSCE

Opening Session: Trafficking in human beings

As delivered by Ms. Allison Hollabaugh,
OSCE Human Dimension Seminar
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Madam Moderator,

The United States strongly supports the OSCE commitment to combat trafficking in persons through the multidimensional approach of prosecution, protection, prevention, and partnership. As we strive to achieve the goals outlined in the OSCE Action Plan to Combat Trafficking in Human Beings, we reaffirm our political will to fight modern slavery through the 2011 Ministerial Declaration. We commend the strong leadership of Special Representative Giammarinaro and her efforts to address emerging trends. We look forward with great anticipation to the launch of the regional roundtables on domestic servitude as well as the Alliance against Trafficking in Persons' event later this year.

More than a decade has passed since the adoption of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. We applaud the many countries that have enacted anti-trafficking laws reflecting these wide-ranging commitments or added separate anti-trafficking provisions to their penal codes. The next step, implementation, is the most critical and challenging. We appreciate that this Human Dimension Seminar affords us an opportunity to share our national experience and work towards progress.

Twelve years ago, the United States enacted the Trafficking Victims Protection Act – known as the TVPA – which offered sheltering, assistance and other protections for the victims, as well as long jail sentences and asset confiscation for the traffickers, to combating human trafficking. However, this landmark legislation only symbolized the end of the beginning of work for our tireless legislators and fearless advocates. In the ensuing years, three subsequent amendments to this Act are testimony to the ongoing effort, the lessons learned, and the vibrant dialogue between government and civil society which are

paramount to engendering real progress in our collective effort to combat human trafficking.

As we consider our unique successes and challenges, we highlight the three Ps: Protection, Prosecution, and Prevention. To protect victims, effective prosecution must be the cornerstone of our efforts. Victims will never truly be safe while perpetrators continue to operate in society with relative impunity. We have made steady progress on advancing law enforcement tactics, prosecutions, and sentencing, facilitated by the tools of the TVPA. However, our greatest education has come from the lessons learned about protecting victims.

We had the foresight to realize that protecting victims in the short term is futile if victims are forced to return to a dangerous environment in the long term. In 2000, the TVPA introduced a special status, known as T visa status, which enables foreign victims of trafficking to access immigration relief that leads to permanent resident status and eventually to citizenship. It also enables victims to petition for eligible family members to join them. This form of relief in the United States recognizes that, among other things, a critical priority for victims is their personal safety as well as the safety of their immediate family members. In effect, this provision allows for a form of *non-refoulement* in cases where victims would suffer extreme hardship or harm if required to leave the United States.

Yet the implementation of this element of the law is a work in progress. In the initial years, few victims came forward to seek this option. Advocates and government officials worked to raise awareness about this important choice among immigration lawyers as well as law enforcement. Subsequently, advocates suggested ways that both statute and implementation could be improved, for instance, to better meet the needs of traumatized victims and to better regulate adjustment of a renewable visa into a permanent residence. The progress that was made when government responded to these concerns by amending the law and filling implementation gaps is reflective of the vital importance of an ongoing dialogue between civil society and government actors.

Just as progress on the statutory and regulatory framework for the T visa was made over time as a result of this dialogue, so have we made progress in our efforts to protect those children who are victims of trafficking and to prevent others from becoming victims. For years, we were unable to identify many child victims. Advocates challenged us to widen our scope and consider the perilous experiences of vulnerable and unaccompanied children migrating to the United States. In

response, we enacted amendments that added requirements to ensure more effective screening, care, and custody of vulnerable children. As we sought to enhance the safeguards for vulnerable children, we began increasing the identification rate of child victims and preventing the victimization of children.

Since the inception of the TVPA, we have learned that, in addition to the 3Ps, partnership must be a fourth. Crucial to the success of the TVPA has been the coordination it has fostered across the United States. Every day, the federally-funded National Human Trafficking Resource Center handles hundreds of calls, providing information, responding to urgent concerns, and ensuring linkages between grassroots NGOs, local law enforcement, federal law enforcement, and regional anti-trafficking task forces. Federal awareness campaigns like the Blue Campaign have reached across America and encouraged people to see what is too often ‘Hidden in Plain Sight,’ providing tangible guidance on how to report concerns. From the White House in Washington to local task forces across the country, improving communication and coordination continues to be a critical goal; one single agency will not tackle this effectively alone.

Next month, the U.S. Department of State will release its 2012 TIP Report which for the third time will feature a full tier-ranking and country narrative for the United States. We are proud of our progress, which stems from our political commitment to address this issue, contributions from our vigorous civil society, as well as our willingness to engage with these independent actors. Last year’s report on the United States is a reminder of how much further our government still has to go in the fight against modern-day slavery. We look forward to learning about the experiences of other participating States in coming days and encourage states to consider the recommendations of the TIP Report in the coming months as we all renew our strong, shared commitments to combating human trafficking.