Testimony of

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July 7, 2004

Hearing before the Senate Committee on the Judiciary,
Subcommittee on the Constitution, Civil Rights and Property Rights

Examining U.S. Efforts to Combat Human Trafficking and Slavery:
An assessment of the United States' recent legal responses to the problem of trafficking in persons on the federal, state and international levels

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Mr. Chairman, distinguished Members of the Subcommittee, I am privileged to speak to you today on the United States' current legal responses to combat the problem of trafficking in persons on the federal, state and international levels.

And perhaps, due to these significant efforts one may observe a decline in international trafficking as well as trafficking into the United States.

In the 2003 Trafficking in Persons Report, the Department of State estimated that between 800-900,000 women and children were trafficked worldwide across international borders. This number has decreased to 600-800,000 according to the 2004 Trafficking in Persons Report.

Similarly, while Congress in its findings in the Trafficking Victims Protection Act in 2000 estimated that approximately 50,000 women and children are trafficked into the U.S. each year, this number has decreased in accordance with the Department of State Report of 2003 which placed the number of persons trafficked to the United States between 18-20,000. Currently the U.S. Department of State in its report entitled Assessment of US Activities to Combat Trafficking in Persons estimates that between 14,500-17,500 are trafficked annually into the United States.

The Department of Justice has significantly increased its efforts to prosecute cases of trafficking. Between 2001 and March 2004, at least 150 traffickers have been charged, of these 79 included sex trafficking allegations, 77 of these cases have resulted in convictions or guilty pleas. Of those 59 defendants were found guilty of sex trafficking charges.

Based upon the analysis conducted by The Protection Project on these cases, which the Department of Justice kindly made available, I can say that the majority of victims that are trafficked into the U.S. come from countries in Africa, especially Cameroon, Nigeria, Ghana and Tonga; Latin America, especially Jamaica, Mexico, Honduras and Guatemala; Asia, especially South Korea, Indonesia, Uzbekistan, Vietnam, Thailand and China and Russia.

They are trafficked to different states, in particular, California, Florida, New York, Hawaii, Georgia, Alaska, Texas and North Carolina.

They are trafficked for the purposes of prostitution, other forms of sexual exploitation, forced labor and domestic service.

One may question, however, whether this decline in the number of trafficking cases is because of recent efforts to combat the problem, or simply because victim identification has become more difficult. Unfortunately, few of those victims have been identified. For instance, in 2003 the Department of Homeland Security (DHS) received 601 applications and has granted only 297 T-visas. In 2002 only 5 visas were granted, while so far in 2004 78 visa applications were approved.

Consequently, I believe that the main challenge that we face today is to identify victims of trafficking. This is not an easy task especially because many cases of trafficking involve organized crime. Victims' mistrust of public officials and the lack of public awareness about victims' rights make it difficult for victims of trafficking to come forward and cooperate with law enforcement officials in the investigation and prosecution of cases of trafficking.

Recently the United States has adopted a number of federal laws that address these problems. The Trafficking Victims Protection Act (TVPA) was signed into law on October 28, 2000. It was amended on December 19, 2003 by the Trafficking Victims Protection Reauthorization Act. In April 2003 the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act (PROTECT Act), Section 105 provided for penalties for sex tourism and amended the Child Sexual Abuse Prevention Act of 1994. The Inter-Country Adoption Act of 2000 enacted on October 6, 2000 implemented the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. The Racketeer Influenced and Corrupt Organizations Act (RICO) added "trafficking in persons" to the definition of a racketeering activity in its Section 1961. On February 13, 2002 Executive Order 13257 established a Cabinet-level inter-agency task force to monitor and combat trafficking in persons. And the February 25, 2003 Trafficking in Persons National Security Presidential Directive emphasized trafficking in persons as a priority for this administration.

The significance of these legislative measures is that it expanded the rights of a victim of trafficking. To me, the federal law has expanded four main rights of a victim of trafficking: the right to be heard in court, the right to civil compensation, the right to receive social and economic benefits, and the right to seek residency.

Today a victim of trafficking has more opportunities to be heard in court. To facilitate the prosecution of cases of trafficking, the Reauthorization Act made it clear that trafficking in foreign commerce shall be prosecuted as well as trafficking affecting interstate commerce. In addition, trafficking in persons may be tried as a racketeering case. The new Sex Tourism Act, while criminalizing travel with intent to engage in illicit sexual conduct also makes engaging in illicit sexual conduct in foreign countries a crime.

Now a victim of trafficking is entitled to file a civil action asking for civil compensation and reasonable attorney's fees. You may be familiar with a civil lawsuit filed in January 2004 in

federal district court in New Orleans, where about 220 workers from Asia, mostly of Indian heritage, sought to recover damages amounting to $75,000 for being lured into virtual slavery in Louisiana.

Traditionally courts awarded restitution to victims of trafficking upon the successful prosecution of such a case. In one of the first sex trafficking cases brought under the TVPA, a federal district court awarded restitution to trafficking victims to the full amount of their loss in U.S. v. Jimenez-Calderon, where the court awarded $ 135,240 to the four girls that were victims of sex trafficking by the Jimenez-Calderon family. On March 2, 2004, Ramiro Ramos was sentenced on charges related to trafficking in persons (involuntary servitude) for which he was convicted in June 2002. The sentence included 15 years imprisonment, $20,000 in fines, and forfeiture of property worth over $3 million, as well as deportation. In January 2004, two defendants, Bradley and O'Dell were sentenced to five years and ten months after being convicted by a jury in August 2003 on charges of forced labor and trafficking in persons. Bradley and O'Dell recruited four Jamaican citizens and brought them to New Hampshire in 2000 and 2001 to work for their tree cutting business. The court in this case also ordered the defendants to pay restitution to the victims totaling $13,052.

No longer a victim of trafficking is limited to the criminal sanction of mandatory restitution, which may be limited and requires a strict standard of proof and is contingent upon a conviction.

No longer an alien is required to cooperate with a federal agent to be qualified for receiving benefits under the Trafficking Victims Protection Act. Now under the Reauthorization Act it suffices that she cooperates with a state or local law enforcement agent.

A child under the age of 18 is no longer required to show willingness to assist in reasonable request to investigate and prosecute a case of trafficking before he is entitled to receive an immigration status in the U.S.

However, it remains to be seen how courts will interpret the provisions of the federal law.

A physical or legal coercion is no longer required. Any serious harm now suffices to establish coercion in accordance with the TVPA. How would courts interpret the coercion requirement after the TVPA has expanded the definition of coercion under U.S. v. Kozminski. When should we prosecute a case of trafficking under the Mann Act that does not require force, fraud or coercion? Would a victim of a case of trafficking that was prosecuted under the Mann Act, be entitled to the benefits granted under the TVPA that requires proof that the trafficked person has been a victim of severe form of trafficking?

How would the courts define a commercial sex act? Is it limited to prostitution or does it include other forms of sexual exploitation, such as pornography?

Would sex trafficking involve cases of mail-order brides, especially since the only law that covers the issue of mail order brides is Section 652 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. However, this is merely a disclosure law. It imposes penalties on international matchmaking organizations violating the requirements of the section including providing information in the recruit's native language regarding residency in the U.S.

and relevant marriage issues. At least 200 matchmaking organizations are operating in the United States and between 2,000-3,500 men find brides through catalogues. I understand that personal freedoms and privacy rights, especially in the area of marriage and family relations must be protected and perhaps left unregulated. However, when brides are beaten, tortured and treated like slaves by their husbands or when they are forced to perform illicit sexual activities or placed in condition of forced labor, such instances of abuse must be confronted and a legal response must be developed to protect such victims.

Would we consider massage parlors, strip clubs and other sexually oriented establishments that may be involved in illicit sexual activities as forms of sexual exploitation? I understand that such adult expressions are protected as free speech under the First Amendment. I also understand that they are subject to zoning requirements. However, in many cases sexually oriented establishments have been used as fronts for houses of prostitution. For instance, in Young Im Kim v. The State of Texas (2002 Tex. App. LEXIS 749), Kim was convicted of prostitution where an undercover detective engaged Kim in a discussion about possibly offering more than just massage, i.e. sex in exchange for $200. Similarly, in Yong Ae Becerra v. The State of Texas (2000 Tex. App. LEXIS 791), Becerra was convicted of prostitution when an undercover police officer visited the massage parlor where Becerra worked and arrested her after she agreed to engage in oral sex for a certain fee.

In Louisiana, there have been a number of recent cases when massage parlors have been shut down after it was discovered that they were fronts for houses of prostitution. The women working in those establishments did not have massage therapist licenses and traveled from New Orleans to Atlanta, Houston, Chicago, Pittsburgh, Boston, New York, Biloxi (Mississippi) and Grand Rapids (Michigan) to engage in prostitution. The owners of the parlor and intermediaries were charged with money laundering and conspiracy to travel in interstate commerce in aid of a racketeering enterprise.

Women are brought from foreign countries to the U.S. then transferred to various massage parlors and strip clubs across the U.S. where they end up working as prostitutes.

Massage parlors and strip clubs and other sexually oriented establishments facilitate or create demand for trafficked persons. For example, in a 2002 case three persons were arrested in Brooklyn, New York for trafficking a dozen Russian women into the U.S. and forcing them to dance nude in New Jersey strip clubs. In another case involving four defendants, one of which, a Russian national, Virchenko, was sentenced in 2001 to 30 months in prison followed by deportation for trafficking adult women and under age girls from Russia into Alaska to dance nude in strip clubs.

While pursuing such establishments through violation of zoning ordinances might be sufficient in some cases, what is more important is that states take steps to curtail the activities of the establishments that might facilitate trafficking.

Last May, Arizona passed a new law that entered into force on July 1, 2004 and imposed stricter requirements on the massage industry. Thus, the new law requires all massage therapists to obtain a license. Among the requirements for license is that a masseuse or masseur has to be a citizen or legal resident of the United States and to have not been convicted of a felony or other

crime involving moral turpitude, or prostitution or solicitation in the past five years. The law also explicitly prohibits for massage therapists to engage in any kind of sexual activity with a client.

Distinguishing between massage and massage "with a special ending," a grand jury charged Roman Valdma with Importation of Aliens for Immoral Purpose (8 USC §1328), Transportation for Illegal Sexual Activity (18 USC § 2421), Persuading and Enticing Illegal Sexual Activity (18 USC §2422) and visa fraud. Valdma recruited women from Estonia and induced, enticed and/or coerced them to work in Valdma's erotic massage parlors located in Massachusetts.

The implementation of the extraterritorial application of the new sex tourism act (PROTECT Act) will require intensive investigative and prosecutorial efforts. I am encouraged by the recent cases of arrests. On the day following President Bush's speech to the United Nations on September 23, 2003 on Iraq and the Sex Trade, Michael Lewis Clark, a 69 year old retired United States army sergeant, was charged with sex tourism in one of the first indictments under the new law. Clark was indicted by a Seattle Grand Jury on two counts: traveling via foreign commerce to Cambodia, and engaging in illicit sexual conduct with a minor. He paid two young homeless boys, aged ten and thirteen, two dollars each to have sex with them.
There were also other arrests made under the new law: Gary Jackson, 56 years old, from Washington state, was arrested for having sex with children in Cambodia; and Richard Schmidt, 61 years old of Baltimore faces charges that he traveled to Cambodia and the Philippines to engage in sexual activities with children.

You may also be familiar with the case of Jean Succar Kuri, who was arrested this February near Phoenix and is currently awaiting extradition to Mexico from Arizona. He has been charged with statutory rape, child pornography and corruption of minors. Mr. Succar is a naturalized citizen of Mexico (originally from Lebanon) and a resident of California. He is a successful businessman, investing in retail shops, restaurants and hotels in Cancun. However, for many years, Mr. Succar was engaged in child sex tourism, when he traveled to Cancun and engaged in sexual conduct with teenage girls ages 13 to 17, giving them some money, perhaps $10 a day, and buying them new clothes in exchange for sex. Mr. Succar also asked older girls to bring over the younger ones, some as young as 6, whom he called "fresh meat." He took pornographic photographs and videos of the girls, and threatened to separate them from their families if they told anyone about being abused.

And this is a step further, since the TVPA mentions sex tourism only in the context of the definition of the sex industry in Article 102, and in specifying the main duties of the Interagency Task Force. One of these duties is to inquire into the role of sex tourism in trafficking.

In addition to prosecution of cases of sex tourism, we need to increase our efforts to prevent such a horrific crime. The Reauthorization Act now requires developing and disseminating materials to alert travelers to foreign destinations where sex tourism is significant, that sex tourism is illegal and will be prosecuted.

I would like to applaud the approach taken by the 2004 TIP Report which focuses on the problem of trafficking, listing 21 countries of origin and destination where sex tourism is an issue. These countries are: Australia, France, Germany, Morocco, Taiwan (Tier 1), Brazil, Cambodia, Cameroon, Indonesia, Mauritius, Singapore, Sri Lanka (Tier 2), the Dominican Republic, Kenya,

Laos, Madagascar, Malawi, the Philippines, Russia, Thailand (Tier 2 Watch List) and Venezuela (Tier 3).

Our research at The Protection Project shows that sex tourism is significant in the following countries: Cambodia, Vietnam, the Philippines, Sri Lanka, Dominican Republic, Costa Rica, Thailand and Cuba.

I would also like to see an expansion in the interpretation of what we consider labor trafficking, especially cases that involve trafficking in children and child labor. Corporations that are involved in such illegal act must be held accountable. We are all familiar with McDonalds' "Happy Meal" toys which were found to be made by children in China, prompting the company to terminate that supplier relationship.

It is encouraging that many U.S. companies have adopted their own standards of conduct. For example, Reebok International LTD, "will not work with business partners that use forced or other compulsory labor" and "will not purchase materials produced by forced, prison or other compulsory labor, and will terminate business relationship with any sources found to utilize such labor." Gap Co. in its Code of Vendor Conduct states that "factories shall employ only workers that meet the minimum working age requirement, or are at least 14 years of age, whichever is greater, and factories must comply with all requirements of child labor laws." In the same manner Levi Strauss Co. states in its Code of Conduct that "use of child labor is not permissible, workers can be no less than 14 years of age and not younger than the compulsory age to be in school." Levi Strauss will also "not utilize partners that use child labor in any facilities."

The Trade and Development Act of 2000 (19 USC §1307) provides for the effective enforcement of the standards established by ILO Convention 182 (Worst Forms of Child Labor). The Act prohibits importation of products made, in whole or in part, with the use of convict, forced, or indentured labor under penal sanctions.

International standards prohibiting involvement of corporations in human rights violations must be fully respected. In particular the proposed United Nations Code of Conduct for Companies, bans use of "slave and forced or compulsory labor." It states that "[e]mployees shall be recruited, paid, and subjected to other working conditions so as to avoid debt bondage or other forms of slavery and shall have the option to leave employment and the employer must facilitate such departure by providing all the necessary documentation and facilitation."

The proposed United Nations Code of Conduct of Companies states that companies should not "allow any person under the age of 18 to work under conditions which have been identified by the ILO convention as the worst forms of child labor. For example, which are likely to harm the health and safety of children, or interfere with the physical, mental, spiritual, moral or social development of a child."

For the first time, international treaty law establishes the liability of corporations for illegal activities in connection with organized criminal groups. Under Article 10 of the United Nations Convention against Transnational Organized Crime, countries must establish liability of the legal person: "Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in serious crimes..."

"the liability of the legal persons may be criminal, civil or administrative," and "shall be without prejudice to the criminal liability of the natural persons who have committed the offenses."

Whether trafficking is for the purpose of prostitution or other forms of sexual exploitation or labor, a trafficked person must be identified as a vulnerable victim. It is encouraging that courts applied the Vulnerable Victim Sentence Enhancement doctrine to cases of trafficking under USSG §3A1.1(b)(1) to enhance the penalties in cases of trafficking. A vulnerable victim is a person who "is unusually vulnerable due to age, physical or mental condition, or who is otherwise particularly susceptible to the criminal conduct."

In U.S. v. Veerapool, 312 F.3d 1128, 1133 (9th Cir. 2002), the court applied the doctrine in a case involving involuntary servitude where the wife of the Thai ambassador recruited girls from Thailand to work in her home and restaurant in Los Angeles. Veerapool kept the workers in degrading circumstances and a condition of involuntary servitude. The court used the vulnerable victim sentencing adjustment, stating that the victim was "vulnerable based on her immigrant status and the circumstances in which the immigrant was exploited [...] from the initial recruitment, and the treatment of the individuals while they were here [in the U.S.]. ... The victim was a poor uneducated woman, lacking in sophistication, in the knowledge of the United States laws, and [...] that was also exploited."

In a similar case, U.S. v. Castaneda, 239 F.3d 978 (9th Cir. 2001), in which Filipino women were recruited to work in a nightclub where they were forced to perform sexual services, Circuit Judge Silverman in his dissent argued for the application of the vulnerable victim doctrine. He stated that: "It is difficult to understand how the majority can equate (1) a woman who is intentionally tricked into leaving her home in a foreign country on the promise of a legitimate job, and then, in the words of the plea agreement - 'forced to line up for selection by male customers to accompany them to private ... rooms' and there, "made to provide sexual services,' with (2) a professional prostitute who willingly agrees to travel across state lines for the purpose of prostitution. Both are covered by the Mann Act, but the majority hold that the former is no more a 'vulnerable victim' than the latter. This is obviously wrong, and therefore, I respectfully dissent.

The majority derives its conclusion from the premise that 'economic hardship' is typical of women victims in Mann Act cases. Even assuming that to be true, the majority completely overlooks the fact that this case involved much more than ordinary economic vulnerability.
-The victim in this case was tricked into leaving a foreign country on the promise of a legitimate job.
-As a direct result of this deception, she was stranded in a foreign country and, as found by the district judge, 'couldn't just pack up and go home.'
-Because the victim was an indentured nonresident alien worker under Northern Mariana Islands law, she could not work elsewhere.
-She was forced to participate in the prostitution activity."

On the state level, it is encouraging to learn that in addition to Texas and Washington state legislators from Arizona, Connecticut, Hawaii, North Carolina, Minnesota and Florida are considering enacting specific anti-trafficking legislation. My understanding is that the Department of Justice has prepared a model state legislation to assist states in drafting anti-trafficking legislation. This is another significant legislative effort, which is to be added to the

model U.S. legislation to combat trafficking that the Department of Justice also drafted for the purpose of assisting foreign countries.

As a part of the training program that The Protection Project conducts in the different states, implementing the Health and Human Services public awareness program, I have been advocating the drafting of anti-trafficking legislation in other states. This year I traveled to Louisiana, Florida, Massachusetts and Arizona arguing that a specific anti-trafficking provision in the criminal code would make prosecution of a case easier instead of struggling to prosecute the case of trafficking under existing laws such as prostitution, kidnapping, false imprisonment, and the like.

Penalties under these existing laws are not comparable to the gravity of the crime of trafficking. State resources should be used to prosecute cases of trafficking and especially when federal resources are not always available in light of the diverse priorities of the Federal Bureau of Investigation (FBI). This would ultimately have the effect of identifying more victims of trafficking in the different states.

However, a number of issues must be resolved in establishing the relation between state laws and federal law, in the areas of criminalization as well as protection of victims of trafficking. Would a victim of trafficking, a part of a case that has been prosecuted in accordance with the state law, be entitled to federal benefits granted under the Trafficking Victims Protection Act (TVPA)? Should the protection granted to victims of trafficking under the Federal Victim and Witness Protection Act of 1982 be extended to victims of trafficking on the state level?

Furthermore, the issue of reconciliation of sentencing is important. Under the federal TVPA the sentence is up to 20 years imprisonment, or any term of years or life. While Texas law categorizes trafficking as a second degree felony that may be punished with a sentence up to 20 years, the Washington state law designates trafficking in persons as Class A felony which may be punished by a sentence of 10 years to life.

Most importantly how do we define trafficking under state legislation. Should state legislation also require force, fraud or coercion as is the case under the TVPA?

Texas Penal Code Ann. Sec. 20A.02 provides that: "A person commits an offense if the person knowingly traffics another person with intent that the trafficked person engage in: forced labor or services."

The Washington statute defines trafficking in the first degree when a person: "recruits, harbors, transports, provides, or contains by means another person knowing that force, fraud, or coercion will be used to cause the person to engage in forced labor or involuntary servitude." Wash. Rev. Code §9A.40.100 (2004).

A different definition of trafficking is provided by the Connecticut bill for Establishing an Interagency Task Force on Trafficking in Persons. It defines trafficking as "all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced

prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage." (2004 Ct. S.A. 8; 2004 Ct. HB 5358).

A state legislation however, should not be limited to the criminalization of trafficking as a crime. Accordingly the creation of a task force that mobilizes efforts to combat trafficking in a particular state is imperative. Washington state has already embraced such a model, establishing in 2002 the Washington task force against trafficking in persons.

Arizona has also introduced Bill 1300 in the Senate this year. The bill provides for establishment of the Trafficking Victims' Task Force consisting of the state's Attorney General, the Director of the Department of Health Services, the Director of the Industrial Commission, and the Director of the Criminal Justice Commission. The Task Force is charged with tasks that include: collecting research and information on victims of trafficking; evaluating various approaches used by the state and local governments to increase public awareness of the issue of trafficking; reviewing the services and facilities that provide assistance to victims of trafficking; developing a plan for combating trafficking in persons within Arizona; coordinating the support services to victims of trafficking; and presenting an annual report of its findings and recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate.

On the international level, the U.S. has been active promoting a role for non-governmental organizations (NGOs) and urging foreign countries to allow NGOs to work to further the cause of human rights, including combating trafficking in persons as a human rights violation. This is important because in many countries it is the government that determines the degree of freedom the NGO enjoys while pursuing its goals.

The Reauthorization Act amended the TVPA to provide for "facilitating contact between relevant foreign government agencies and such non-governmental organizations to facilitate cooperation between the foreign governments and such organizations."

This provision is important especially in light of the international obligation of a government to cooperate with NGOs. The Convention against Transnational Organized Crime Article 32 established a Conference of the State Parties "to improve the capacity of States Parties to combat transnational organized crime and to promote and review the implementation of this Convention" through 32(3)(c) "Cooperating with relevant international and regional organizations and non-governmental organizations."

The Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime also emphasizes the need to cooperate with NGOs in Article 6(3) which states that "[e]ach State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society ..." ; Article 9(3) which mentions that "[p]olicies, programmes, and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;" and Article 10(2) which calls for training that "should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with

non-governmental organizations, other relevant organizations and other elements of civil society."

Enforcing this international obligation of cooperation would require countries to review their policies regarding NGOs' activities within their territories.

The Department of Justice has been assisting foreign countries in drafting anti-trafficking legislation in compliance with the UN Protocol on Trafficking. This legislative assistance led to the formulation of a comprehensive anti-trafficking law in many countries. Two of my favorites are the Romanian Anti-Trafficking law was passed in December 2001 and the Bulgarian law Prohibiting Trafficking in Persons, which became effective in July 2002. While there have been significant legislative reforms in this area, many countries still do not have a specific anti-trafficking legislation. According to the 2004 TIP Report, 62 countries lack legislation that specifically make trafficking a crime.

For instance, the majority of the countries of the Middle East do not have a specific anti-trafficking legislation. Morocco and Turkey are among the few that criminalize trafficking, while Qatar's criminal laws prohibit trafficking only for the purposes of sexual exploitation.

Similarly, most of the countries in Africa do not have anti-trafficking legislation, including Ghana, Angola, Burundi, Cameroon, the Gambia, Mauritius, Mozambique, Niger, Rwanda, South Africa, Togo, Uganda, Democratic Republic of Congo, Ethiopia, Madagascar, Burma, Senegal, Sudan, Cote d'Ivoire, Gabon, Kenya, Malawi, Zambia, Zimbabwe, Equatorial Guinea, Sierra Leone.

Countries from Latin America that lack specific anti-trafficking legislation include: Argentina, Chile, Honduras, Jamaica, Mexico, Peru, Suriname, Ecuador, Guyana, and Venezuela.

This last year I have been a part of the training program that was conducted by the War Against Trafficking Alliance where Shared Hope International, The Protection Project and the Department of Justice have cooperated in training law enforcement officials in the countries of Moldova, Dominican Republic, India and South Africa. I talked about the laws in these countries, namely Articles 165 and 206 of the Moldovan Criminal Code addressing trafficking; the Dominican Republic's Law Number 137-03 Regarding Illegal Trafficking of Migrants and Trade in Persons of August 2003; the Immoral Traffic Prevention Act of India, and the proposed amendment to the Sexual Offenses Act of South Africa.

We must also assist countries in enacting related laws, especially in the area of witness protection, anti-corruption and money-laundering.

The American Bar Association Central European and Eurasian Law Initiative (CEELI) is developing a "Trafficking Assessment Tool" on how countries should comply with the U.N. Protocol on Trafficking including enacting anti-trafficking legislation. I participated in the discussion group that looked into the first draft and I believe once this tool is finalized it will provide a useful guide.

Prosecution rates in the Middle East, Africa, and Latin America are still very low, and further efforts are needed to not only assist in drafting anti-trafficking legislation but to train investigators, prosecutors and judges to effectively consider cases of trafficking.

Actually it is not only developing countries that show such low instances of prosecutions of traffickers. Even countries that have more resources available to prosecute cases still have low rates of successful prosecution of traffickers.

The Reauthorization Act provides for International Law Enforcement Academies to be utilized more fully in the effort to train law enforcement authorities, prosecutors, and members of the judiciary to address trafficking in persons-related crimes.

This international training is particularly important, especially that under the Reauthorization Act a government which does not provide data on investigation, prosecution and conviction or sentencing of cases of trafficking shall be presumed not to have vigorously investigated, prosecuted, convicted or sentenced such acts.

Thank you.