

Ambassadors' Luncheon: Findings and Recommendations of the

U.S. State Department Trafficking in Persons Report 2014

A Discussion with Ambassador Luis C. de Baca

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Remarks of Dr. Mohamed Mattar,

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On behalf of The Protection Project, I would like to welcome our distinguished guests to this Embassy Luncheon, which we are devoting to a Discussion of the 2014 US State Department Trafficking in Persons Report.

This is the ninth consecutive year that we present a review of the TIP Report.

I see faces that have been with us for the nine years and faces that I see for the first time. Welcome all of you.

And, mark your calendar, next year we will be celebrating ten years of The Protection Project's Review of the TIP Report.

We are happy to, once again, be in the company of Ambassador Luis de Baca, who devoted this year report to the theme of the journey from victim to survivor.

And this year I like references in the report to promising practices in the eradication of trafficking in persons. I am referring here to page 22 of the report.

I also like references in the report to media best practices. I am referring here to page 30.

But I also like the examples that the report mentions in different countries to best and promising practices that I believe we should share in this phase of the anti-trafficking movement.

I believe that we are now in phase two. Phase one, I called the phase of recognition, when the international community came together and recognized that there is a problem. This problem is called human trafficking and something needs to be done about it.

Phase two is about examining responses to the problem and inquiring into what has been working and sharing comparative models and best and promising practices.

Let me mention a few that I consider my favorite, and I will be very brief because I know that you are all here to listen to the Ambassador, and not me.

One is on the concept itself:

I like the TIP Report's reference to the shift in the attitude of the government of Sudan that ceased its public denial of the problem of human trafficking, although the Report concludes that Sudan's new law, which passed in March 2014 "fails to adequately define exploitation."

I think otherwise, I like that the law of Sudan defines exploitation conceptually and not by referring to categories or forms of exploitation. The law defines trafficking to mean any "illegal acts or actions that may offend [the victim]'s dignity."

The law enhances the penalty if the victim is subject to sexual exploitation or prostitution.

And the law makes consent irrelevant in all cases of human trafficking, irrespective of what the TIP Report calls, on page 35, “coercive means”

A second is on the appropriate government responses.

And I am going to refer to two, one from Germany, and the other from Brazil, without using the formula 7-1:

I like the TIP Report’s reference to Germany, where the Ministry of Foreign Affairs issued Directives on domestic work, providing a minimum wage and model contracts for domestic workers who work for diplomats.

And that is why I like the shift in the Trafficking Victims Protection Act of the US from prosecution to prevention. Because we cannot prosecute diplomats the law changed in 2008, granting authority to the Secretary of State not to issue A-3 visas to any diplomatic mission if one of its diplomats has been abusing a domestic worker and nothing has been done about it.

I like the TIP Report’s reference to Brazil, where the Ministry of Labor published a “dirty list”, identifying employers and corporations responsible for slave labor, 579 of them, who are denied access to credit by financial institutions.

A third one is on the theme of this year’s report: a journey from victim to survivor.

I like the TIP Report’s reference to the US Trafficking Victims Protection Act, which allows for trafficked persons to independently file a civil cause of action.

At the end of 2013, 10 years since the creation of this remedy, NGOs reported that at least 117 cases had been filed and that, of those, 75 percent had positive results.

Another way of compensating victims is establishing State Funds.

I like the TIP Report's reference to Costa Rica, where a fund to fight human trafficking was established by the government and financed primarily through the departure tax, one dollar per traveler. In 2013 the fund collected 1.5 million dollars.

Of course, the list would be too long. You may take a look at these best practices in the 432 pages that Ambassador Luis de Baca has for us this year.

So I would like to thank members of the Office to Monitor and Combat Trafficking in Persons for drafting this wonderful report. I would also like to thank members of The Protection Project, the staff and the research associates who wrote this year's Review, especially Ms. Julia Braunmiller, our Director for Legal Affairs, who led the team, designed the structure of the Review and supervised this wonderful work.

To share with us some thoughts on this year's Report, I will now pass the microphone to the policy maker, the scholar, the diplomatic envoy, the global leader, the Senior Advisor to the Secretary of State and the Director of the State Department Office to Monitor and Combat Trafficking in Persons.

Please help me welcome Ambassador Luis de Baca.