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Five things to look for at the new trafficking ambassador's nomination hearing

By Annick Febrey

The State Department Trafficking in Person's office (J/TIP) has lacked leadership for about ten months now. This vacancy is acutely felt as it comes at a time when politics and trafficking have intersected more than usual.

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Concerns continue around what protections the Trans-Pacific Partnership (TPP)—a proposed trade agreement between the United States and eleven other countries around the Pacific Rim—will include to ensure vulnerable populations are not exploited for forced labor. Notably Malaysia, a party to the trade negotiations, received the lowest ranking on the State Department Trafficking in Persons Report in 2014 for failing to even make an effort to address its trafficking epidemic. If Malaysia had remained on the lowest tier in the latest TIP report released earlier this summer, the TPP would have lost its eligibility for fast-track Congressional approval. Malaysia was indeed upgraded, but with no evidence of improving its anti-trafficking efforts, calling the report's credibility into question.

Political pressure to prematurely upgrade countries is not a new phenomenon, but a bias-free account of states' anti-trafficking measures is less likely to prevail over other political agendas without a dedicated leader fighting in its corner. Susan Coppedge Amato, nominated to head the Trafficking in Persons office back in July, will testify before the Senate Foreign Relations Committee this morning. Here are five critical issues we're hoping she will address during the hearing:

1. The lack of prosecutions worldwide: Worldwide, convictions dropped 23 percent last year from 5,776 to 4,443. With an estimated 20.9 million victims of trafficking around the globe, yet fewer than 45,000 victims reported to law enforcement last year, the low conviction rate makes trafficking a very low risk crime for the perpetrators. J/TIP needs to leverage its diplomatic power and partnerships with foreign governments to increase the number of convictions over the coming year.
2. The lack of accountability on forced labor in particular: Of those 20.9 million global victims, the ILO estimates that 68 percent are trapped in labor trafficking. Yet, only five percent of the convictions reported worldwide last year were labor cases. Labor traffickers operate with near impunity across the globe, in large part because of the increased resources it takes to recognize, investigate and prosecute these cases. J/TIP needs to work across U.S. agencies and with foreign governments to help build this expertise globally and ensure that more labor cases are identified and prosecuted.

3. The need to repair the credibility of the TIP Report: For several years, anti-trafficking activists have raised concerns about the politicization of the TIP report—namely that countries are sometimes upgraded undeservedly when it serves other political interests for the U.S. government. Each time this happens, it sends a strong signal overseas that politics are more important than combatting trafficking. Given the widely held perception that several countries were undeservedly upgraded in this year's report for political reasons, there is greater need to ensure that countries are fairly ranked for their efforts to combat trafficking in next year's report and that the ranking process is significantly more transparent.
4. The need to improve the data collection process for the TIP Report: J/TIP needs to address the ambiguities in data collection for the TIP Report across all tiers so that countries are ranked consistently based on the same information provided. For example: Germany hasn't provided new data in several years, yet still holds a Tier 1 ranking. It presumably does continue to combat trafficking, but without hard data, the rankings can't be uniform. To give another example, India remains on Tier 2 and yet also did not provide law enforcement data for the 2014 reporting period.
5. The mandate to protect global supply chains: As corporations increasingly expand their operations in the global marketplace, J/TIP should work with other U.S. government agencies to incentivize companies to protect their supply chains from forced labor.

We look forward to hearing from Amato and are optimistic that the State Department Trafficking in Persons office will soon again have a leader that prioritizes fighting trafficking over politics.

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