

SOUTH EASTERN EUROPE REGIONAL CONFERENCE ON TRAFFICKING IN HUMAN BEINGS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 5, 2001

Mr. WOLF. Mr. Speaker, representatives of the governments of Albania, Bosnia-Herzegovina, Bulgaria, Croatia, the Federal Republic of Yugoslavia, Macedonia, Greece, Hungary, Moldova, Romania, Slovenia, Turkey and Ukraine recently met in Bucharest to discuss effective cross-border solutions to the problems of trafficking in human beings and illegal immigration. The United States—represented by FBI Director Louis Freeh—as well as officials and law enforcement agencies from a number of western European governments also participated. I welcome the reports on the conference which indicate that the participants agreed not only on the critical need for intensified and coordinated efforts to combat trafficking in human beings and illegal immigration at the national, regional and international levels, but also that the protection of human rights and the dignity of trafficking victims must be given the highest priority in such efforts.

Mr. Speaker, in recognition of his role in both national and international efforts to combat trafficking in human beings, my colleague on the Commission on Security and Cooperation in Europe (the Helsinki Commission) Representative CHRIS SMITH was invited to participate in this regional conference. As we all know, Rep. SMITH was a prime sponsor of the Trafficking Victims Protection Act of 2000. In addition, as Co-Chairman of the Helsinki Commission and head of the U.S. Delegation to the Organization for Security and Cooperation in Europe's Parliamentary Assembly, Rep. SMITH successfully advanced language at the 1999 and 2000 meetings of the OSCE Parliamentary Assembly which condemned the trafficking of women and children and called for the governments of OSCE participating States to adopt the legislation and enforcement mechanisms needed to punish trafficking perpetrators and to ensure that the human rights of the trafficking victims are protected.

Due to the congressional schedule, Rep. SMITH submitted a written statement to the South Eastern Europe regional conference urging the governments and parliaments in that region to adopt tough laws against trafficking in human beings as well as providing in law adequate safeguards for the protection of trafficking victims. I commend my good friend and colleague for his devotion to the protection of human rights, including his work to end the global scourge of human trafficking, and I submit his statement to the conference to be made a part of the record.

STATEMENT OF REP. CHRISTOPHER H. SMITH, VICE-CHAIRMAN, HOUSE INTERNATIONAL RELATIONS COMMITTEE, CO-CHAIRMAN, U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

REGIONAL CONFERENCE ON TRAFFICKING IN HUMAN BEINGS AND ILLEGAL IMMIGRATION, BUCHAREST, ROMANIA (MAY 21, 2001)

The victimization of children, women and men through trafficking has reached vast proportions in the Balkans and beyond. Human trafficking is a human rights con-

cern, a transnational crime problem, a migration issue, a socioeconomic issue, and a public health issue. Cracking down on the trafficking of human beings deprives transnational criminals of a key source of revenue, strengthens the rule of law, and protects human rights. The attention that this conference brings to the human trafficking problem and to the related, although distinct, concern of illegal immigration, is needed and welcomed. I regret that the congressional schedule prevents my participation in this meeting, but I hope to complement your discussions on fighting human trafficking by addressing the legislator's critical role in ensuring that law enforcers have the legal tools they need to prosecute traffickers and protect victims.

I commend the organizers of this meeting for recognizing the synergy between the prosecution of traffickers and the protection of victims, and including both subjects on the agenda. Under the current laws and law enforcement strategies in many countries, victims are often punished more severely than the perpetrators. Trafficked persons will not report abuses to authorities if doing so puts their lives at greater risk and if they do not believe that the law enforcement community will protect them. Therefore, successful prosecutions of traffickers cannot happen if we do not protect their victims.

Efforts to promote victim protection, and later reintegration into their communities, must start by recognizing trafficked men, women or children as victims of crime and potential witnesses, rather than as criminals. When a sex-for-hire establishment is raided, for example, the women (and sometimes children) in the establishment are typically arrested, locked up and then deported if they are not citizens of the country where the establishment is located. This procedure is followed without regard to whether their participation in the prostitution was voluntary or involuntary, and without regard to whether they will face retribution or other serious harm upon return. This not only inflicts further cruelty on the victims, it also deprives prosecutors of witnesses to testify against the real criminals, and frightens other victims from coming forward. The needs of trafficking victims, moreover, do not end when they are freed in a police raid. Authorities have the responsibility for the safety and basic needs of victims, including food, clothing, medical attention, shelter, and safe repatriation, and ideally they can partner with non-governmental organizations in providing for the victims.

In addition to occasional rescue operations, however, law enforcement officers in South Eastern Europe, and indeed throughout the world, must begin to address human trafficking as a priority crime issue. To date, law enforcers have generally failed to recognize the gravity of the violence brought to bear on trafficked persons or the links between trafficking and organized crime. The importance of thoroughly investigating trafficking cases and prosecuting perpetrators cannot be overstated. Trafficking in persons is today viewed as a low risk/high profit business rather than a crime. The prosecution of traffickers serves a dual purpose: it delivers justice to individuals who use force or fraud to trade in human lives and it serves as a deterrent to others who are inclined to pursue human trafficking as a business endeavor, thinking that the potential rewards would outweigh the risks.

I personally worked for more than a year to create a new law¹ in the United States

¹“Trafficking Victims Protection Act of 2000” (Public Law 106-386, signed by the President on Oct. 28, 2000), available at <<http://www.house.gov/chris-smith/>>.

mandating severe punishment for traffickers and providing new tools for law enforcement officers to combat this scourge. As a result of the legislation that I sponsored, which was enacted last October, any person who traffics in human beings—or who reaps the profits from this abhorrent activity—now faces up to 20 years in prison, or even life imprisonment under certain circumstances. The law also carries a penalty of up to 5 years imprisonment, plus fines, for confiscation or destruction of a passport or immigration documents from another person in the course of trafficking; it allows prosecutors to seize traffickers' assets; and it requires mandatory compensation by traffickers to their victims. The new U.S. law recognizes that children, women and men are trafficked into forced labor, involuntary servitude or slavery—not only in the commercial sex industry, but also into industrial sweatshops, domestic servitude, and other exploitive situations. Severe penalties have been created for trafficking into any of these types of exploitation.

This law gives prosecutors the tools to crack down on traffickers, but it also ensures that trafficked persons will be treated as victims of a crime and potential witnesses rather than as criminals. Toward that end, the law requires the U.S. Department of Justice to ensure that trafficked persons, while in the custody of the federal government, will not be detained in facilities that are inappropriate to their status as crime victims, the victims will receive medical care and other assistance, will be provided protection if their safety is in jeopardy, will be advised of their legal rights, and will have access to translation services. Law enforcement authorities are also empowered to place trafficked persons in witness protection programs, if needed, which can help protect them from reprisals by the organized crime groups, or the individual thugs, who trafficked them.

The new anti-trafficking law also includes victim protection measures such as funding for NGOs working to assist trafficking victims in safe integration, reintegration, or resettlement. The law creates a new non-immigrant visa which allows a victim of trafficking to remain temporarily in the United States if the victim is a child, or the victim is willing to assist in the investigation or prosecution of acts of trafficking, and would suffer extreme hardship if deported from the United States. In certain cases, trafficked persons can also become eligible for permanent residence after several years.

As participating States of the Organization for Security and Cooperation in Europe, each government represented in the Stability Pact committed at the Istanbul Summit to “undertake measures . . . to end . . . all forms of trafficking in human beings,”² including by “promot[ing] the adoption or strengthening of legislation to hold accountable persons responsible for [trafficking] and strengthen[ing] the protection of victims.” The need for legal reforms was also recognized by members of the OSCE Parliamentary Assembly in both the St. Petersburg Declaration of 1999 and the Bucharest Declaration of 2000.

Despite these commitments, many criminal codes do not yet recognize the crime of trafficking in human beings. Addressing the legal deficiencies in the U.S. Code took an enormous investment of political will, a careful examination of the laws on the books, and dogged determination to craft legal tools for prosecution of traffickers and for protection of victims. Each government and parliament in South Eastern Europe

²OSCE Charter for European Security, para. 24 (Istanbul, November 1999).

should undertake a review and strengthening of its domestic laws to ensure that trafficking in human beings is established as a criminal offense and that penalties can be imposed that reflect the grievous nature of the offense. I would be very glad to provide the law which we crafted should the example be helpful to other lawmakers.

Legal reform is a vital step in the battle against modern-day slavery. In the meantime, however, even in countries in which the law does not specifically prohibit trafficking in persons, law enforcement authorities can and should prosecute traffickers by using existing laws against, inter alia, kidnapping, fraud, pandering, falsifying documents, assisting individuals to cross borders illegally, forced labor, assault, or rape. As with all human rights, the responsibility to prevent this particular abuse, to prosecute those who commit the atrocities, and to protect their victims, begins and ends with individual States.

IN HONOR OF GREAT LAKES-MIDWEST REGION FIVE OF BLACKS IN GOVERNMENT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 5, 2001

Mr. KUCINICH. Mr. Speaker, I rise today in recognition and celebration of the Blacks in Government Great Lakes-Midwest Region Five 19th Annual Training Conference being held in Cleveland, Ohio this first day of June, 2001.

The Greater Cleveland chapter of Blacks in Government, B.I.G., is hosting this very special convention. They chose a very fitting theme, "Look Toward the Future for Your Future," and plan on executing numerous workshops throughout the conference that discuss career development, financial security, equal employment opportunity, professional development, and career growth.

Blacks in Government has continually strived for excellence. They have trained countless employees and have instilled in them true values and integrity. This conference facilitates education and interaction, fellowship and celebration. Their cause of justice and equality will ring out loud in Cleveland during this esteemed conference.

Not only will this weekend provide for leadership training and development, but it is also a time for Blacks in Government to celebrate another year of service. Their national mission is to promote excellence in government, and Blacks in Government has done just that. Please join me in celebration and recognition for the Great Lakes-Midwest Region Five of Blacks in Government for their 19th Annual Training Conference in Cleveland, Ohio.

NO CHILD LEFT BEHIND ACT OF 2001

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2001

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1) to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind:

Mr. BACA. Mr. Chairman, I wish to elaborate on my vote in favor of final passage of H.R. 1, The Leave No Child Behind Act (Roll #145)

I strongly support the increased education funding this measure provides. Education is the number one priority for the American people, including under-served populations, such as Hispanics. We recognize that education is our path to the American dream. Unfortunately, Hispanic children remain among the most educationally disadvantaged of all public school students, suffering from high poverty, high dropout rates and language barriers. With significant increases in the number of Hispanic children attending our nation's schools, we must, as leaders of this great nation, remain committed to their unique educational needs. We cannot allow the final conference education bill to leave our nation's children behind.

I would like to emphasize, though, that I remain deeply committed to bilingual and migrant education programs, and I was disappointed that the version of the bill brought to the House floor did not sufficiently address adequate funding for those programs. I urge the Conference Committee to safeguard these programs. Seventy-five percent of the 4.1 million Limited English Proficient (LEP) children are Hispanic and speak Spanish as their first language. These students face the daunting challenge of learning a new language (English) while also keeping up with academic subjects like math and science. I therefore strongly support increased bilingual education funding but without instructional time limits, parental notification and consent requirements. I furthermore strongly support increased funding for the Migrant Education Program. Roughly 800,000 Hispanic children in our schools are from migrant families. These migrant children move from farm to farm, place to place, constantly interrupting their education. The Migrant Education Program must have a national focus that transcends those geographical barriers that form the educational systems for most children.

The final ESEA reauthorization coming out of conference is an excellent opportunity to address these unique educational needs of Hispanic school children. Hispanic children, migrant children, are our nation's children, our nation's future. We must live up to our commitment to "Leave No Child Behind."

RETIREMENT OF SERGEANT THOMAS M. HENDLEY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 5, 2001

Mr. HOLT. Mr. Speaker, I wish to recognize retiring Sergeant Thomas M. Hendley of Oceanport, New Jersey's police department and of his twenty-six year long commitment to serving the people of Oceanport a distinguished law enforcement officer.

A native of West Long Branch, New Jersey, Thomas served in the Air Force from 1963 to 1967 before working in various capacities for Jersey Central Power and Light between 1967 and 1974. Sgt. Hendley's career in law enforcement began when he attended the 91st State Trooper Recruit class in 1974, a program from which he was later forced to withdraw as a result of injury.

In 1975, Sgt. Hendley was hired by the Oceanport Police Department. In 1980, five years after graduating from the Monmouth County 6th Municipal Police Class as the class's Academic Leader and Proctor, he was promoted to the rank of Sergeant.

During his tenure with Oceanport's police department, Sgt. Hendley became certified as both a Firearms Instructor and a Supervising Firearms Instructor. He has also served as the department's training officer since 1994 and has received numerous awards and commendations for Honorable Service, Exceptional Duty, Life Saving, and Educational Achievement.

Sgt. Hendley has further served our community as a member of the Oceanport First Aid Squad and a life member of the Police Benevolent Association. After his retirement, he plans to spend more time with his family in addition to serving as an umpire and part-time charter bus driver.

I applaud Sgt. Thomas Hendley on his many years of service to the people of Oceanport and ask my colleagues to join me in recognizing his invaluable contributions to our society.

ROTH KASE CELEBRATES 10 SUCCESSFUL YEARS

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 5, 2001

Ms. BALDWIN. Mr. Speaker, I rise today to congratulate Roth Kase USA as it celebrates its 10th anniversary in the specialty cheese business.

Roth Kase is located in Monroe, Wisconsin. Although the company's background goes back 125 years, Roth Kase came to Wisconsin ten years ago, and began business with 25 employees. Today, more than 80 employees produce some of the greatest cheeses in the world. In fact, Roth Kase has been recognized with approximately 55 national and regional awards over the past decade, including winning the World Championship in 2000 for its Gruyere cheese. Their most recent award was winning first place in the semi-soft open class category at the U.S. Championship Cheese contest this past March.

Roth Kase's commitment to quality and taste is evident in every product they make. I congratulate the employees of Roth Kase on their dedication and hard work. They created a decade of success, and they have my best wishes for many more successful decades in the future.