

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
COMMERCE, SCIENCE, AND
TRANSPORTATION
FOREIGN RELATIONS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS AND
ENTREPRENEURSHIP

August 13, 2015

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20220

Dear Secretary Kerry,

The politically driven manipulation of the State Department's 2015 Trafficking In Persons (TIP) Report is an embarrassment for the Obama Administration that threatens to set back U.S. efforts against human trafficking around the world. For over 15 years, the report has helped encourage foreign governments to tackle human trafficking, if for no other reason than to avoid being named and shamed by the U.S. Now, according to whistleblowers within the State Department, the Administration has announced to the world that it will allow political considerations to trump real reform. President Obama and his Administration have set a dangerous precedent with this trafficking report that could lead countries to believe they can negotiate their way out of having their human trafficking abuses highlighted. This is a great disservice to the millions of people who have been victimized or are vulnerable to human traffickers.

The most glaring example is the politically driven improvement of Cuba from the "Tier 3" category to the "Tier 2 Watch List". Since the State Department began evaluating Cuba in 2003, it has been placed on Tier 3 every year. Over the past year, Cuba has done almost nothing to combat human trafficking. In fact, while the 2015 trafficking report claims there were improvements in certain areas, Cuba still has not even bothered to create a single law that identifies labor trafficking as a crime. Additionally, the progress which was identified in convicting sex trafficking cases was minimal, an improvement of 3 cases in 2013. I appreciate every trafficker who faces the proper justice but I would not call an increase of 3 cases a major improvement and a major factor for an upgrade in tier ranking.

Another concerning aspect of Cuba's upgrade, is that the information on Cuba's efforts to combat trafficking came directly from the Cuban government, not from non-governmental organizations (NGOs). Independent NGOs are unable to operate in Cuba and therefore it is impossible for the U.S. government to assess the situation on the ground beyond reports from the Cuban government.

As the Obama Administration encourages increased tourism to Cuba, it should be noted that child sex trafficking and child sex tourism continue to plague Cuba. According to the 2015 report, Cubans between the ages of 13 and 20 are the most vulnerable to human trafficking within Cuba. A major investigation in recent years by *The Toronto Star*, in conjunction with *The Miami Herald*, highlighted a report by the Royal Canadian Mounted Police, which cited Cuba as the most popular destination in the Americas for child sex tourism — and the Americas' most visited region for Canadians traveling abroad for sex with kids. The Administration's unfounded elevation of Cuba on human trafficking sends a chilling message that the U.S., at least under this president, is more interested in headlines about its historic Cuba policy than it is in challenging the Castro regime to protect Cuba's youth from human trafficking exploitation.

It is important that the TIP report remain a true reflection of the trafficking situation on the ground and that a country's rating never be determined by political considerations but by the country's true record on this issue. The decision to upgrade Cuba without substantial evidence of improvement is the worst form of politicization of an important anti-trafficking tool. Cuba is a human slave state.

In closing, I urge you to reconsider Cuba's ranking. Also, I formally request all prior drafts of the Cuba portion of the 2015 TIP Report, the names of all State Department and White House officials who signed off on the Cuba section of the report, and a copy of the Cuban Government's national action plan to combat trafficking. Thank you for your consideration. I look forward to continuing to work with you on this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a long horizontal stroke at the end.

Marco Rubio
United States Senator