

Administration of Barack Obama, 2014

Presidential Determination With Respect to Foreign Governments' Efforts Regarding Trafficking in Persons
September 18, 2014

Presidential Determination No. 2014–16

Memorandum for the Secretary of State

Subject: Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106–386) (the "Act"), I hereby:

Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to the Democratic People's Republic of Korea, the Democratic Republic of the Congo (DRC), Equatorial Guinea, Iran, Russia, Venezuela, and Zimbabwe, not to provide certain funding for those countries' governments for Fiscal Year (FY) 2015, until such governments comply with the minimum standards or make significant efforts to bring themselves into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Make the determination provided in section 110(d)(1)(A)(ii) of the Act, with respect to Cuba, Eritrea, and Syria, not to provide certain funding for those countries' governments for FY 2015, until such governments comply with the minimum standards or make significant efforts to bring themselves into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

Determine, consistent with section 110(d)(4) of the Act, with respect to Algeria, the Central African Republic, the Gambia, Guinea-Bissau, Kuwait, Libya, Malaysia, Mauritania, Papua New Guinea, Saudi Arabia, Thailand, Uzbekistan, and Yemen, that provision to these countries' governments of all programs, projects, or activities described in sections 110(d)(1)(A)(i)–(ii) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to the DRC, that provision of assistance and programs described in section 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act, with the exception of Foreign Military Sales and Foreign Military Financing for the army of the DRC, would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to the DRC, that a partial waiver to allow funding for programs to be provided pursuant to section 1208 of the National Defense Authorization Act for FY 2014 (Public Law 113–66), to the extent that such programs would otherwise be restricted by the Act, would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Venezuela, that a partial waiver to allow funding for programs described in section 110(d)(1)(A)(i) of the Act designed to strengthen the democratic process in Venezuela would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Cuba, Syria, and Eritrea, that a partial waiver to allow funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Equatorial Guinea, that a partial waiver to allow funding described in section 110(d)(1)(A)(i) of the Act to advance sustainable natural resource management and biodiversity and to support the participation of government employees or officials in young leader programming would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Syria and Equatorial Guinea, that assistance described in section 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

Determine, consistent with section 110(d)(4) of the Act, with respect to Zimbabwe, that a partial waiver to allow funding for programs described in section 110(d)(1)(A)(i) of the Act for assistance for victims of trafficking in persons or to combat such trafficking, programs to support the promotion of health, good governance, education, leadership, agriculture and food security, poverty reduction, livelihoods, family planning, macroeconomic growth including anti-corruption, biodiversity and wildlife protection, and programs that would have a significant adverse effect on vulnerable populations if suspended, would promote the purposes of the Act or is otherwise in the national interest of the United States;

And determine, consistent with section 110(d)(4) of the Act, with respect to Zimbabwe, that assistance described in section 110(d)(1)(B) of the Act, which:

- (1) is a regional program, project, or activity under which the total benefit to Zimbabwe does not exceed 10 percent of the total value of such program, project, or activity;
- (2) has as its primary objective the addressing of basic human needs, as defined by the Department of the Treasury with respect to other, existing legislative provision concerning U.S. participation in the multilateral development banks;
- (3) is complementary to or has similar policy objectives to programs being implemented bilaterally by the United States Government;
- (4) has as its primary objective the improvement of Zimbabwe's legal system, including in areas that impact Zimbabwe's ability to investigate and prosecute trafficking cases or otherwise improve implementation of its anti-trafficking policy, regulations, or legislation;
- (5) is engaging a government, international organization, or civil society organization, and seeks as its primary objective(s) to: (a) increase efforts to investigate and prosecute trafficking in persons crimes; (b) increase protection for victims of trafficking through better screening, identification, rescue/removal, aftercare (shelter, counseling), training, and reintegration; or (c) expand prevention efforts through education and awareness campaigns highlighting the dangers of trafficking in persons or training and economic empowerment of populations clearly at risk of falling victim to trafficking; or

(6) is targeted macroeconomic assistance from the International Monetary Fund that strengthens the macroeconomic management capacity of Zimbabwe, would promote the purposes of the Act, or is otherwise in the national interest of the United States.

The certification required by section 110(e) of the Act is provided herewith.

You are hereby authorized and directed to submit this determination to the Congress, and to publish it in the *Federal Register*.

BARACK OBAMA

[Filed with the Office of the Federal Register, 8:45 a.m., September 25, 2014]

NOTE: This memorandum was published in the *Federal Register* on September 26.

Categories: Communications to Federal Agencies : Human trafficking, foreign governments' efforts to combat, memorandum.

Subjects: Foreign policy, U.S. : Trafficking in persons, efforts to combat.

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