TRAFFICKING IN PERSONS REPORT
JUNE 2018

DEPARTMENT OF STATE
UNITED STATES OF AMERICA

TRAFFICKING IN PERSONS REPORT

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MESSAGE FROM THE SECRETARY OF STATE

Dear Reader:

Human trafficking deprives millions worldwide of their dignity and freedom. It undermines national security, distorts markets, and enriches transnational criminals and terrorists, and is an affront to the universal values we as Americans hold dear. The use of human trafficking by terrorist groups, such as ISIS and Boko Haram, not only reflects the brutality of these groups, but also acts as a means by which terrorist organizations recruit adherents and finance their operations. Combating human trafficking is not merely a moral issue or one that affects the interests of the American people; it is also an issue that threatens international peace and security.

The United States remains a committed leader in combating this global threat. President Trump has made ending human trafficking a top priority for the Administration and dedicated the government's full resources to fighting this crime. I am proud to lead the Department's dedicated efforts to rid the world of modern slavery. I will continue to strengthen our partnership with Congress, faith-based organizations, the private sector, advocates, and human trafficking survivors, whose voices are critical to developing effective anti-trafficking strategies and public policies. As I have throughout my career, I remain committed to advancing civilian security and preserving human life and dignity.

The *2018 Trafficking in Persons Report* is an essential State Department tool used to shed light on the darkness where modern slavery thrives and to highlight specific steps each government can take to protect victims of human trafficking, prevent trafficking crimes, and prosecute traffickers in the United States and around the world. The findings in this report help inform policymakers, law enforcement, and civil society on gaps and areas of concern, as well as serve as a roadmap forward to end the scourge.

This year's report focuses on effective ways local communities can address human trafficking proactively and on how national governments can support and empower them. Local communities are the most affected by this abhorrent crime and are also the first line of defense against human trafficking. By engaging and training law enforcement, religious leaders, teachers, tribal elders, business executives, and communities, we become more vigilant and learn to identify and address vulnerabilities swiftly. Proactive community-driven measures strengthen our ability to protect our most vulnerable and weaken a criminal's ability to infiltrate, recruit, and exploit. I have experienced firsthand that individuals closest to a problem are often the best resource to solving it, which is why the Department prioritizes equipping and empowering front-line civil society leaders.

Modern slavery has no place in the world, and I intend to ensure, through diplomatic engagement and increased action, that the United States government's leadership in combating this global threat is sustained in the years to come.

Sincerely,

Mike Pompeo

A boy who labors on a fishing vessel stands on the beach in Bangladesh in front of his boat.

MESSAGE FROM THE ACTING DIRECTOR

Dear Reader:

Human trafficking, also known as modern slavery, is a global threat that touches nearly every corner of the world. The State Department's annual *Trafficking in Persons (TIP) Report* not only captures the challenges governments and societies face in fighting human trafficking, but highlights effective responses to hold perpetrators accountable, protect victims, and prevent others from enduring this devastating crime. This report serves as a resource for diplomatic engagement and a roadmap to improve anti-trafficking efforts in the United States and around the world.

Governments bear primary responsibility to combat human trafficking, which is why the report's country narratives assess government efforts. Yet, national governments cannot succeed alone; actions at the local level play a critical role. By training and empowering local leaders to protect their communities from traffickers and contribute to broader anti-trafficking efforts, governments and others can multiply the effectiveness of their own efforts. The challenges front-line leaders in civil society, the private sector, and faith-based organizations face are often regionally and contextually specific, requiring locally informed and developed strategies. When combined, national and local efforts can result in greater awareness, targeted interventions, and more effective strategies to combat modern slavery.

This year my visits to two rural communities in Ghana confirmed my belief in the central role of informed, resilient communities. In these villages I observed how traditional leaders and elders worked with volunteers and social workers to develop a common understanding of the dangers of human trafficking and a proactive community approach to mitigate those dangers. These inspiring local leaders described how they learned about trafficking from a Ghanaian NGO, taught others, and took steps to identify suspected child trafficking cases. These communities, and others like them, removed more than 180 children from forced labor and prevented numerous others from suffering such exploitation. The Ghanaian volunteers I met vividly reminded me that when communities are aware and their efforts coordinated, justice and freedom can prevail.

This year's report, while underscoring remaining challenges and gaps in government efforts, also shines light on progress through victim-centered and trauma-informed anti-trafficking policies across the spectrum of governance. I applaud their efforts and encourage them to do even more in the coming year.

Assembling the annual *TIP Report* requires support from many organizations, individuals, and partners. I am especially grateful to the dedicated staff of the Office to Monitor and Combat Trafficking in Persons and the numerous other Department offices, U.S. embassies, and consulates around the world who work tirelessly to bring this report to life. I look forward to continuing frank exchanges with government officials, nongovernmental representatives, and survivors on the recommendations contained in this report and to increasing our collective efforts in the pursuit of a world without modern slavery.

Sincerely,

Kari Johnstone

A woman picks cotton as part of the annual harvest in Uzbekistan. Many rural women serve as voluntary cotton pickers to supplement their income; however, government-compelled forced labor in the annual cotton harvest remains common in Central Asia.

TABLE OF CONTENTS

LOCAL SOLUTIONS TO A GLOBAL PROBLEM: SUPPORTING COMMUNITIES IN THE FIGHT AGAINST HUMAN TRAFFICKING 2

TOPICS OF SPECIAL INTEREST

- Confronting Human Trafficking at the Provincial Level: A Focus on Ontario, Canada 18
- After Human Trafficking: Successful Models that Promote Resilience and Provide Lasting Protections for Survivors 20
- Child Institutionalization and Human Trafficking 22
- Implementing a Trauma-Informed Approach 24
- How Governments Address Domestic Servitude in Diplomatic Households 26
- Promising Practices in the Eradication of Trafficking in Persons: Tracking Suspicious Financial Flows 28
- Multilateral Efforts to Combat Human Trafficking Through Global and Regional Engagement 30

THE FACE OF MODERN SLAVERY 32

CHILD SOLDIERS PREVENTION ACT LIST 34

METHODOLOGY 38

GLOBAL LAW ENFORCEMENT DATA 43

TVPA MINIMUM STANDARDS 44

2018 TIP REPORT HEROES 46

TIER PLACEMENTS AND REGIONAL MAPS 54

HOW TO READ A COUNTRY NARRATIVE 62

COUNTRY NARRATIVES 63

RELEVANT INTERNATIONAL CONVENTIONS 469

STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS & CIVILIAN PERSONNEL 470

INTERNATIONAL, REGIONAL, AND SUB-REGIONAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS 471

CLOSING NOTE 476

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LOCAL SOLUTIONS TO A GLOBAL PROBLEM:
SUPPORTING COMMUNITIES IN THE FIGHT AGAINST HUMAN TRAFFICKING

Human trafficking is a global phenomenon to which no country is immune. Victims of modern slavery are exploited in every region of the world, compelled into service for labor or commercial sex in the real world of industry and on the pages of the internet. The enormity of the problem necessitates the development of a unified, comprehensive response from world leaders to collectively address a crime that defies all borders.

Despite its global reach, human trafficking takes place locally—in a favorite nail salon or restaurant; in a neighborhood home or popular hotel; on a city street or rural farm. Local communities face the realities and consequences of modern slavery, including weakened rule of law, strained public health systems, and decreased economic development, while traffickers profit from the exploitation of others.

International recognition of the devastating effects of human trafficking grows each year. As of the date of this report, governments of more than 170 countries have made public commitments to its eradication, promising punishment for traffickers, care for victims, and action to prevent this crime. The importance of these commitments cannot be overstated.

Yet, the grinding reality of fighting modern slavery takes place not on world stages but through the dedicated actions of individuals to meaningfully implement such commitments—in the slow and often tedious process of building a strong case against a trafficker; the long-term and case-specific provision of comprehensive care for victims; the consistent efforts of civil society partners to strategically raise awareness about human trafficking; and the development of well-planned and evidence-driven preventive policies.

National governments cannot do these things alone. Their commitments to this issue are more effectively realized in partnership with the communities that face it, including local authorities, NGOs and advocates, and individual community members who are often the eyes, ears, and hearts of the places they call home. After all, traffickers exploit the political, social, economic, and cultural contours of local communities, often in ways that would be hard to address fully from a distance. By supporting and empowering these communities, national governments can truly begin to address the individual trafficking cases that collectively make up the larger global issue.

This year's *Trafficking in Persons Report* highlights some of the elements of an effective community-based approach, the challenges in implementing such initiatives, and the opportunities national governments have to facilitate coordination, cooperation, and responsibility-sharing with and between local governments and communities.

USING THE LOCAL CONTEXT TO BUILD THE BIGGER PICTURE

The nature of human trafficking—multifaceted, complex, and clandestine—poses significant challenges for the development of effective anti-trafficking policies. The root causes of the crime are deeper than any one of its facets and relate to larger systemic conditions such as poverty, forced migration, racism, and discrimination, among many others. Understanding human trafficking in its local context is critical to developing a meaningful response.

Traffickers, perhaps instinctively, know this well. Although human trafficking is often associated with organized crime, and in some cases is facilitated by sophisticated criminal syndicates, in many others it is driven by loose networks, families, or individuals operating independently. Using their first-hand knowledge of local systems, behaviors, social structures, and individual interactions, traffickers exploit vulnerabilities, often betraying the trust of their communities.

Traffickers may, for example, prey on the hopes and dreams of parents searching for a way to give their children access to a good education; recognize a vulnerable community's fear of engaging law enforcement officials with a reputation for corruption; or rely on bias and discrimination to keep victims hidden in plain sight. Because of this, the dynamics that facilitate human trafficking will be unique in almost every instance and each jurisdiction will face its own challenges related to culture, environment, resources, and knowledge.

National governments have an opportunity to build stronger, more tailored anti-trafficking strategies through close coordination with sub-national governments and communities, including civil society organizations, survivors, and others working on the ground. Without shifting their responsibility, national governments can enable local authorities to take action to assess the needs of their communities and develop responses that build on existing capacity, capitalize on the expertise of a wide range of actors, and identify and distribute underutilized resources.

Addressing human trafficking requires a dynamic policy framework based on the mutually reinforcing pillars of prosecution, protection, prevention, and partnership. Combining international and national resources with local knowledge and energy can help all stakeholders create a more comprehensive and focused strategy with a broader reach. National governments should do all they can to pave the way for efforts on the ground, starting with robust anti-trafficking laws that criminalize all forms of human trafficking, tangible support for victim protection, and robust coordination with and resources for the various stakeholders required to combat and prevent this crime.

The following pages seek to encourage individuals and communities to be proactive in addressing human trafficking, while also highlighting several important activities national governments can take to support local efforts. These lists are not exhaustive—there is always more a government can do.

> *"I welcome the focus on engaging with local communities to help them to spot the signs of modern slavery. We need to shine a light on this hidden crime and to encourage more victims to come forward so that we can provide them with the support they need.*
>
> *- Prime Minister Theresa May, United Kingdom*

VICTIM STORIES

The victim stories included in this ***Report*** are meant to be illustrative. They characterize the many—though not all—forms of human trafficking and the wide variety of places in which they occur, although each could take place almost anywhere in the world. Many are based on real experiences and the victims' names have been changed as a result. In most cases, the photographs that accompany the stories are not images of confirmed trafficking victims. Still, they illustrate the myriad forms of human trafficking and the variety of situations in which trafficking victims are found.

BUILDING PARTNERSHIPS AND CREATING COOPERATION

In the fight against human trafficking, multi-stakeholder partnerships are critical. They must exist vertically between national, regional, and local governments, and horizontally between law enforcement, service providers, and other key actors within and across communities.

At every level, inherent limitations and lack of resources necessitate creativity, collaboration, and help from key partners to develop protocols and processes that punish offenders while caring for victims. Law enforcement, for example, can arrest and prosecute traffickers, but cannot do so well without working in tandem with care providers who offer comprehensive support services to victims. Governments rely on the public to report suspicious activities, and therefore are well-served by providing education and resources to help the public understand indicators of human trafficking. Victims need the support of a variety of actors, while anti-trafficking stakeholders benefit from the input and advice of survivors. Local leaders are well-situated to understand the needs of their communities and how best to implement and adapt national policies to the local level, but necessarily rely on their national governments for funding, expertise, and training.

Thus, to address and prevent human trafficking and care for victims effectively, the expertise, resources, and time of a wide range of stakeholders are necessary. This includes both government and nongovernment entities, each with distinct mandates and roles, which may create competing priorities and conflicting interests that are challenging to coordinate. Building and strengthening a collaborative approach across multidisciplinary perspectives can help communities foster trust between relevant actors and develop systems to provide comprehensive care to victims and robust law enforcement action against traffickers.

Importantly, effective responses to human trafficking require involvement of survivors as key stakeholders. Survivors should be included in the discussion, development, and implementation of anti-trafficking policies or protocols and not be asked to relate—and thereby re-live—the stories of the exploitation they experienced. According to the U.S. Advisory Council on Human Trafficking, "[s]urvivors play uniquely important roles in combating human trafficking in the U.S. and around the world. As subject matter experts, they provide essential tools that investigators, prosecutors, and communities need to combat and prevent human trafficking." Thus, wherever possible, survivors should be included in community groups dedicated to combating human trafficking and should be compensated for their expertise and time.

Task forces are an effective means of anti-trafficking coordination, as they facilitate partnerships between local law enforcement agencies, service providers, and sub-national and national regulatory authorities.

For example, in 2017 the Governor of Edo State in **Nigeria** declared human trafficking to be one of his top priorities and created the Edo State Task Force to combat trafficking in persons. It is made up of participants from NGOs, the National Agency for the Prohibition of Trafficking in Persons, Nigeria Immigration Services, Benin City Police Commissioner, Edo State Director of State Security Services, IOM Nigeria, and Edo State government executives, including the Attorney General, the Commissioner for Youth, and the Commissioner for Local Governments, among many others. The task force has arrested at least 10 potential traffickers and provided shelter and services to Nigerian victims repatriated from Libya, among other activities.

In **Nepal,** the National Committee for Controlling Human Trafficking (NCCHT) oversees nationwide efforts, with support from both district- and local- level committees. The NCCHT routinely meets with and trains members of the 75 district-level committees funded by the Ministry of Women, Children, and Social Welfare to support awareness campaigns, meeting expenses, emergency victim services, and the local committees. Furthermore, they collaborate to implement and report on efforts in line with the government's 2012-2022 national action plan. As of January 2018, there were 732 local committees in operation, overseeing local efforts and identifying and screening for trafficking within their communities. For example, in April 2017, the vigilance team of the local committee in Maadi Municipality, Chitwan District intercepted at the Indian border a 17-year-old girl who had been recruited with promises of education. The vigilance team then reunited the girl with her family, and she is now continuing her education in Nepal. The local committee filed a case against the trafficker at the Chitwan District Court, which sentenced the trafficker to 10 years imprisonment.

In the city of Houston in the **United States,** the Houston Area Council on Human Trafficking has doubled in size since its formation in 2012 and includes 42 member organizations that are direct service providers, prevention and advocacy groups, law enforcement agencies, and private funders. The task force is organized into four sub-groups, each focusing on one of the "3Ps"—prosecution, protection, and prevention—and a fourth P for partnerships. The task force is helping to implement the city's 91-point strategic plan to combat human trafficking.

HUMAN TRAFFICKING **DEFINED**

The Trafficking Victims Protection Act of 2000, as amended (TVPA), defines "severe forms of trafficking in persons" as:

- **sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or**
- **the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.**

A victim need not be physically transported from one location to another for the crime to fall within this definition.

A Rohingya man and his family flee violence in Burma to a refugee camp in Bangladesh. Refugees are vulnerable to exploitation by traffickers when fleeing violence and while residing in refugee camps.

> *"The traumatic experiences suffered by victims of human trafficking are beyond comprehension. It is crucial that law enforcement agencies develop strong and enduring partnerships with NGOs and faith-based organizations that are on the front lines of survivor support."*
>
> *- Callista Gingrich, U.S. Ambassador to the Holy See*

A Romanian woman stands outside a greenhouse in Sicily where her employer subjected her to sex and labor trafficking.

In the most basic sense, a task force creates a setting for information-sharing on the roles and resources of anti-trafficking stakeholders in the community. It is also a place to share knowledge about human trafficking from different perspectives so that all participants have a similar baseline understanding of its many forms, as well as of the elements that make certain populations vulnerable to the crime. As the task force matures, it can be a place where participants decide how best to approach the variety of trafficking cases that may arise, whether they involve forced labor or sex trafficking, minors or adults, or foreign nationals or citizens, among other factors.

An inclusive task force can be a unified voice that signals to the community the prioritization of human trafficking and can be a starting point for gathering and consolidating information about local instances of human trafficking and current resources for victims. The purpose of such a group is to create a consistent and coordinated response to human trafficking that is tailored to the community, protects the rights of victims, and holds perpetrators accountable. Moreover, a task force can serve as an effective communication channel between sub- and national-level authorities, providing the foundation for targeted and effective national efforts and an accurate understanding of community needs.

To facilitate coordination, national governments can:

- Encourage and support the establishment of human trafficking task forces in communities to bring together law enforcement, care providers, and others, and enhance access to human trafficking experts.
- Provide access to experts to help build local capacity and allocate resources, whether financial or in-kind, over a sustained period and in response to local needs to support local efforts across the "3Ps."
- Encourage the sharing of successes and challenges across jurisdictions and ensure budget and policy processes incentivize adaptation rather than the status quo.
- Empower and encourage sub-national authorities to collaborate with NGOs to develop policies and protocols, as well as formal structures like human trafficking task forces.
- Where national committees or standing NGO working groups exist, engage a broad array of stakeholders in national anti-trafficking efforts.

CONDUCTING ASSESSMENTS TO UNDERSTAND THE PROBLEM

Communities interested in starting or improving on efforts to confront human trafficking may benefit first from assessing the problem. For example, communities may find value in gaining a better understanding of potentially vulnerable communities, the range of services victims may need, and the current resources available to address those needs. Likewise, assessing the general level of understanding on trafficking-related issues by those likely to come into contact with victims, and the processes in place for victim care and law enforcement action can help set a baseline from which to drive continuous improvement.

In **Haiti,** a prominent NGO has developed a holistic model for community-based action to end the traditional practice of *restavèk*, a system in which poorer, often rural, parents send their children to live and work in the homes of urban families in exchange for room, board, and access to education—a practice that often leads to domestic servitude. The NGO conducted participatory research on the scale of the problem in selected areas and on the underlying socioeconomic factors that allow this type of human trafficking to flourish. Using this information, each community developed a community action plan to prevent *restavèk* and protect the children who may fall victim to it. The NGO also facilitated the creation of the network of adult survivors that has become a powerful mechanism both to raise awareness about human trafficking and to advocate for the involvement of survivors in decisions at the national, regional, and community levels.

In response to concerns about the condition of homeless children forced to beg, the Ministry of Justice in **Georgia** issued more than $20,000 to two NGOs with the goal of identifying and supporting the reintegration of "street children." The NGOs identified 105 children living on the streets, learning they were mostly Georgian, Azeri, and Moldovan nationals. The research identified economic hardship, limited education, and "cultural matters" as factors making children more likely to be forced into begging activities, such as selling trinkets, begging for spare change, or engaging in physical work like the transportation of goods. Based on this research and pursuant to recommendations by the NGOs that conducted it, the Ministry of Justice awarded an additional $10,000 for an awareness-raising campaign. In addition, the Social Services Agency is responding to the NGOs' recommendations by expanding its facilities in Batumi, which the research identified as a hotbed for "street children" activity during the summer months.

DOMINICAN REPUBLIC
UNITED STATES

When Raul was in high school in the Dominican Republic, he jumped at the opportunity to go to the United States to continue his education. A family friend offered to be his sponsor and hire Raul in his restaurant while Raul attended school. Shortly after Raul arrived in the United States and began attending the local high school, his sponsor pulled him out of classes and forced him to work in his restaurant full-time for less than $1 an hour. The sponsor withheld Raul's passport, threatened him, and sexually abused him. Raul was forced to live in filthy conditions in the restaurant. After an anonymous call to the national hotline, law enforcement officials raided the restaurant and arrested Raul's sponsor.

The input of experts who work directly with human trafficking victims is vital to a comprehensive assessment, but members of the broader community may also be able to provide valuable insight. Their understanding of the particular dynamics that may lead to trafficking and their ideas for combating it locally should be included in any discussion.

By gaining a better understanding of the current landscape of victim identification, service provision, and law enforcement action, communities can begin to build formalized processes that can help to ensure victims receive a full range of support services.

To assist with information-gathering, national governments can:

- Conduct assessments to understand trafficking at the national level and both encourage and support monitoring and routine reporting from local level stakeholders.
- Develop national and local diagnostic tools to help with the identification of at-risk populations.

Several countries hold pre-departure trainings to teach migrant workers the indicators of trafficking. A participant in one of those trainings is now a peer educator in her community.

NIGERIA
ITALY

Faith was approached by a woman who promised her a job at a Nigerian restaurant in Italy. Faith thought this was her chance to begin a new life, especially as she saw some fellow Nigerians return from Europe better off than when they left. When Faith arrived in Italy, however, she was informed she had to pay back more than $50,000 in debt before she could leave. Her traffickers forced her into prostitution, telling Faith they would kill her if she did not comply. Faith felt like she was always in danger and was even stabbed several times. She managed to escape and now works to help other women trapped in sex trafficking in Italy.

The United States Department of Justice, Office for Victims of Crime issued a "Guide to Conducting a Needs Assessment." The guide states:

One of the first tasks of conducting a needs assessment is to identify what you want to learn about your community. What questions do you need answered to help you develop the best program for victims in your area?

Here are some questions to consider:

- What victim services are being provided within your community? How accessible are these services (e.g., hours, location, language capacity)?
- How familiar are the key partners and community members with the issue you are trying to address?
- Have providers in your area been trained on the issue? What are some additional training needs?
- What outreach efforts are made to educate the public about the issue and the services you provide?
- Who in your area is best suited to identify potential victims?
- Which organizations are currently working with the victims you are trying to help?
- What types of victims have these organizations seen? Are the victims from other countries? What languages do they speak?
- What services do the victims need? Are you able to meet these needs? What additional support do providers need?
- Do you have collaborations in place for working with victims? Are you able to pool your resources?
- Are there any obstacles to accomplishing your mission? What are they? How can they be resolved?

These are just examples of some of the questions you may want answered about your community. The key partners of your initiative will play an important role in framing the issues to be addressed in the needs assessment. Clearly, understanding and articulating what it is you want to learn will help keep the needs assessment focused and purposeful.

https://www.ovcttac.gov/docs/resources/OVCTAGuides/ConductingNeedsAssessment/step1.html

- Support anti-trafficking efforts for populations that may fall outside of traditional national jurisdictions, such as tribal communities, migrants and refugees, and itinerant populations.
- Provide a national platform for information-sharing and data collection.
- Fund studies to better understand successful anti-trafficking community models.

CONDUCTING TRAINING AND RAISING AWARENESS ON VICTIM IDENTIFICATION

While comprehensive structures must be in place to effectively combat human trafficking, the best laws and policies will be ineffective if those most likely to come in contact with victims do not know how to identify them or are not empowered to assist them.

Human trafficking is often described as a crime that is "hidden in plain sight" because victims may interact with others in the community but are unlikely to self-identify for many reasons, including fear of harm to themselves or their family members. For example, victims may come into contact with the criminal justice system, seek medical care, attend school or faith services, work in local businesses, or utilize public transportation. Any interaction with professionals or other individuals in these instances provides an opportunity for identification and assistance. Without training and awareness, however, those positioned to recognize the situation and help may not know the indicators of trafficking or the appropriate way to respond.

Professional Engagement

Once a community has identified vulnerable populations and the places they may be most likely to come into contact with professionals, this information can be used to target trainings.

Many victims of human trafficking are likely to come into contact with professionals such as law enforcement officers, health care providers, school administrators and teachers, prosecutors and judges, labor inspectors, transportation providers, and many others.

Studies have shown that the most effective community responses are those in which capacity for victim identification is increased at an institutional and systemic level. In doing so, a community safety net is widened and the burden of identification and care is shared across a spectrum of key actors.

For example, in the **United States**, as of January 2018, anyone seeking a new or renewed license through the Michigan Department of Licensing and Regulatory Affairs is required to have a human trafficking education credit. This will include professionals in health care, education, social work, and others.

In **Jordan,** the Ministry of Social Development (MOSD) facilitated training for juvenile officers and shelter staff on trafficking issues, including how to identify victims of trafficking, services to provide to potential victims of trafficking, and the referral process. In addition to the MOSD, Jordan's Anti-Trafficking Police Unit supported work on training materials for police and social development staff, to include materials on the protection of victims of trafficking during interviewing and investigation. Additionally, the Attorney General expressed support for enhancing the training of the trafficking-focused police and prosecutors in order to improve their use of victim-centered investigation techniques to identify, process, and refer potential victims of trafficking.

The **Guyanese** Ministerial Task Force on human trafficking held sensitization campaigns monthly throughout the summer of 2017, along with training workshops to frontline officers from the Guyana Police Force and social workers, medical personnel, and more recently, members of the media, on how to treat trafficking cases. The task force collaborated with the Guyana Press Association to train 23 members of the media on the unique differences between human trafficking and migrant smuggling. The training took place in June, and emphasized the importance of reporting cases with sensitivities, especially when those cases involved children.

Community Awareness

In many cases, human trafficking is hidden by the appearance of regularity. In particular, adult victims often interact with others and may even engage in routine transactions in the course of their victimization, yet their compelled service may be imperceptible to the general observer. This is true for both sex trafficking and labor trafficking. Traffickers rely on these conditions, which enable them to control victims even when they interact with others.

Community leaders can take action to increase general awareness by providing tools to the public to help them recognize the indicators of human trafficking, alert authorities to potential trafficking schemes, and empower vulnerable populations to protect themselves.

UNITED STATES

When Taylor was 16 years old, she met some older men at the local mall. One of the men started taking Taylor on dates and buying her clothes and meals. Not long after they started dating, he coerced Taylor into sex trafficking, convincing her that if she complied, she would never need to rely on anyone ever again. At 17 years old, Taylor was forced to make at least $1,000 per day. Eventually, Taylor's traffickers forced her to take on a different role where she was in charge of recruiting more teenagers to be exploited in commercial sex. Most of the money went to her traffickers. To keep her under their control, Taylor's traffickers threatened her family who lived nearby.

> *I was lied to about my job. I wanted to leave but at some point, I realised I wasn't allowed to go. Nobody had to tell me but I knew I was trapped," says the 22-year-old. "I didn't know where I was or how to go home."*
>
> *- Vietnamese human trafficking survivor*

North Korean waitresses sing in a restaurant in Dubai. North Korean workers often face conditions of forced labor and sex trafficking both abroad and at home.

For example, in 2017, the broadcast company TEGNA rolled out an episodic series investigating sex trafficking of children in the **United States** and asked each of its 51 local stations to tailor the message to each community, pre-packaging videos, technical support, and research material to make it easier for stations to localize the story.

Community-based organizations such as faith communities, women's groups, immigrant advocacy groups, youth development groups, labor organizations, or culturally and ethnically based organizations are also well-positioned to raise awareness among their members and to act as a bridge between service providers and those populations that may face challenges in receiving services due to language barriers, age, health issues, gender identity, sexual orientation, or other factors.

For example in **Timor-Leste**, a small country, most communities are tight-knit. To capitalize on this, an NGO in that country envisioned a community watch program focused on human trafficking. The NGO trains local citizens around the country to monitor their communities, particularly in areas where there is a lack of police or immigration officer presence. The monitors are recruited and vetted through local village councils. The training they receive helps them to identify potential trafficking victims. In 2016, they identified 37 cases that involved trafficking indicators and referred them to police. In 2017, they identified six cases. All of the data collected is shared directly with the Prime Minister's office to assist with national statistics.

In **Bolivia** in the municipality of Tarija, the mayor's office is implementing robust public awareness efforts, including sending 40 specialists to launch prevention efforts in 115 schools in the municipality. In total, they have reached 10,000 students, 1,200 teachers, and 5,000 parents. In addition, the mayor's office held a training course on identifying trafficking indicators for 28 church leaders in the Tarija municipality. In 2016, the mayor's office launched a prevention and public awareness program called "It's about You and Me." As part of the program, the mayor's office established partnerships with NGOs to develop an alert system in schools for missing children who may be human trafficking victims and public art programs to raise awareness of human trafficking.

In the **United Kingdom,** the Clewer Initiative is a three-year project designed to enable Church of England dioceses and wider Church networks to develop strategies to detect modern slavery in their communities and help provide victim support and care. The approach is long-term, tailored to the needs of each diocese, and designed to help build partnerships between the Church and other anti-trafficking stakeholders.

In northern **Ghana,** one NGO is working with all levels of society, from parents and community groups to the government and private sector, so that child protection, education, and health systems work for all children, but especially those most at risk. The organization deploys a child protection team comprising volunteers who spend time in a bus park in Bolgatanga to identify at-risk children who congregate there to make money carrying luggage or unloading cargo. The volunteer team monitors these children and communicates information back to the police and the Department of Social Welfare.

In addition, individuals in a community may also be able and willing to engage on human trafficking by donating time, talent, and resources. In some places, for example, tattoo artists have donated in-kind assistance by removing or covering "brands" tattooed on victims of sex trafficking by their trafficker; graphic designers have helped authorities create public service announcements about the risks of human trafficking; and businesses have provided job training and placement to victims to help them move on from their experience and forward in their lives.

To increase training and raise community awareness, national governments can:

- Share information with and educate local officials and community stakeholders about common indicators of human trafficking and typical methods of recruitment.
- Publicize avenues for reporting human trafficking and seeking assistance.
- Develop victim-centered training for public servants likely to come into contact with victims of human trafficking.

DEVELOPING PROCESSES AND PROTOCOLS FOR AN EFFECTIVE RESPONSE

To ensure effective support for individuals after they have been identified as victims, protocols should be developed for the delivery of comprehensive short- and long-term care. Ideally, this would mean that regardless of the initial point of identification, whether it be by law enforcement, health care providers, educators, or others, victims would have access to a complete referral network for their immediate needs—safety, food and clothing, shelter, and medical care—as well as their longer-term needs such as housing, legal representation, advocacy, assistance with reintegration, and job placement services.

Few, if any, agencies or organizations have the resources to cover the spectrum of services needed. Service provision can be strengthened by creating processes and protocols that maximize the comparative advantages of varying service providers. Creating a locally appropriate, comprehensive, and system-wide response to human trafficking cannot be done effectively without bringing together individuals from a spectrum of professions to coordinate efforts and to address capacity gaps in victim identification, care, and prevention.

For example, the Danish Centre Against Human Trafficking (CMM), which is a participant in **Denmark's** inter-ministerial working group to combat trafficking in persons, has established a nationwide reference system consisting of six regional reference groups that ensure consistency in the national procedure for the identification of and support for potential victims of human trafficking. CMM is also responsible for strengthening cooperation and for knowledge dissemination between NGOs and other civil society organizations operating in the field. Finally, CMM coordinates the gathering of data on victims of human trafficking in Denmark.

In **Hungary,** the National Police Headquarters received more than $30,000 in EU funding to set up regional equivalents of the National Coordination Mechanism permanently in the four counties most affected by human trafficking. During the project, approximately 260 professionals will be given the opportunity to expand their working relationships through 19 workshops. The project aims to foster cooperation between state institutions, NGOs, and regional stakeholders in small communities.

> *We must also do more to support the victims and survivors of trafficking. Indeed, they should be treated as victims of crime and not detained, prosecuted or punished for unlawful activities they were compelled to engage in, in order to survive."*
>
> *- United Nations Secretary-General António Guterres*

Above: Nigerian survivor of sex trafficking in a social support center for female victims in Italy. Service providers assist victims by facilitating access to medical and mental health care, shelter, and legal support.

Below: A trafficking victim and his child rest in a Bangladeshi shelter. Protection systems overlook the needs of male victims in many countries.

GHANA

Emmanuel and Isaac's mother struggled to care for them and keep them safe. When she could no longer afford to feed her boys, she sold them to a man who put them to work on a fishing boat. This man was abusive, often hitting Emmanuel and Isaac with the boat paddle. Emmanuel and Isaac would often split one meal a day between them. The brothers were able to escape when their trafficker heard authorities were arresting people who had kids working on the boats. Emmanuel and Isaac now live with a neighbor who sends them to school.

Boys work on a boat on Lake Volta in Ghana. In this area, some parents sell their children to boat captains who force the children to work long hours under dangerous conditions and do not deliver on promises of wages or schooling.

The National Referral Mechanism in **Georgia** is widely considered the best in the region in terms of how the mechanism is structured and the implementation of the framework. Potential victims are identified mainly by task forces and mobile units and, in turn, potential victims are referred to either the national police or the Permanent Group, a five-member board comprising NGOs and international organizations. Both authorities have the ability to grant official victim status and full state services and support. This approach creates a much needed alternative to law enforcement controlled identification procedures for victims who do not want to work with state authorities. It also alleviates many law enforcement controlled identification issues like forced cooperation in investigations, penalization, and re-traumatization.

Building from the community assessments, an anti-trafficking working group or task force can then take steps to create a protocol to ensure comprehensive care. A community protocol can be used in a number of ways. It can be a directory of contacts for both government (national law enforcement, immigration services, child protective services) and community (shelters, legal service providers, doctors). In addition, a protocol can outline a step-by-step process to help ensure comprehensive and consistent care for victims. It can also serve to provide information on national, sub-national, and local anti-trafficking laws; and it can outline the importance of a victim-centered and trauma-informed approach, the nuances of trafficking, the factors of control, facts and myths, and indicators, among many other important elements. Finally, it can outline national benefits available to victims of human trafficking, such as immigration relief, and describe how advocates can ensure access to these benefits.

> *Women who recruit in their native country know the dreams, hopes of other women, and also their problems, and as such they can make a much more attractive offer."*
>
> *- Carlos Perez, a project coordinator at the United Nations Office on Drugs and Crime (UNODC) in Colombia*

Migrants are vulnerable to exploitation across the world including the United States. Here, a migrant worker harvests blueberries in California.

To assist in the development of protocols and processes, national governments can:

- Set up and fund an anti-trafficking hotline and a national referral mechanism and ensure all relevant officials, professionals, and community groups are aware of these resources.
- Create a central point for the development of law enforcement and judicial expertise and operational coordination.
- Consider the long-term needs for victim reintegration into their home communities and closely collaborate with local stakeholders to develop a sustainable care plan.
- Ensure access to information on promising practices in victim protection, including using a victim-centered, trauma-informed approach.

CONCLUSION

Across the world, in communities both large and small, individual stories of suffering and injustice make up the ugly mosaic of human trafficking. While many cases share similarities, each is as unique as those forced to endure it, meaning that responses to human trafficking must be both comprehensive and nuanced.

Communities should be emboldened to recognize their own strengths in the fight against human trafficking and take steps to make it a priority. National governments, for their part, should welcome those communities as partners and allies. In some cases, national governments may clear the way for community action; in others, the initiative may rest on the shoulders of a single individual who steps forward to start a conversation at a town hall, provincial assembly, or tribal council meeting.

No matter the impetus, communities are not defenseless in the fight against human trafficking. They are a powerful part of the solution.

BURMA
BANGLADESH
INDIA

Kyi and his family fled Burma to escape suppression of the Rohingya by the Burmese military. While in a refugee camp in Bangladesh, an agent offered jobs to him and his family. The jobs were located in Agra, in northern India, and seemed to provide a good opportunity to be safe and rebuild their lives. When they arrived in Agra, they found themselves trapped for a year working as rag pickers and collecting plastic bottles from garbage piles. They worked long hours for no wages. An anonymous tip to law enforcement led to authorities removing Kyi and his family from the situation.

A child works at a silk loom in India. Forced child labor often occurs in dangerous sectors like the garment industry.

CONFRONTING HUMAN TRAFFICKING AT THE PROVINCIAL LEVEL: A FOCUS ON ONTARIO, CANADA

In Canada, the province of Ontario demonstrated sub-national initiative and leadership in combating human trafficking when it announced on June 30, 2016, the Strategy to End Human Trafficking. The Strategy, which is led by the Ministry of Community and Social Services (MCSS) in partnership with the Ministry of the Status of Women, includes up to $72 million (CAD) in investments over the following four years and the creation of a Provincial Anti-Human Trafficking Coordination Office. This office is the first of its kind in Ontario and is dedicated to ensuring collaboration across more than 10 provincial departments.

Focusing on the four key pillars of Prevention and Community Support, Enhanced Justice Sector Initiatives, Indigenous-Led Approaches, and Provincial Coordination and Leadership, Ontario has engaged with hundreds of partners, including survivors, to ensure a collaborative and coordinated approach to strengthen the systems that help to prevent and address human trafficking, ensure that the appropriate resources are available to victims, and raise awareness in the community.

As a major part of this strategy, Ontario will provide approximately $18.6 million (CAD) to 44 partners for projects selected through a competitive selection process for the Anti-Human Trafficking Community Supports Fund and the Indigenous-Led Initiatives Fund. These funds will be used for locally driven solutions to address human trafficking, with a focus on prevention and survivor support.

Since the Strategy to End Human Trafficking was launched, Ontario has undertaken an impressive number of actions under each pillar. A few of them are listed below.

PREVENTION AND COMMUNITY SUPPORT

- Hired six specialized youth-in-transition workers to support youth leaving the care of custodial and non-custodial child protection agencies and Indigenous child well-being societies who may be at risk or survivors of human trafficking.
- Delivered human trafficking awareness training for approximately 450 occupational health and safety inspectors and employment standards officers.
- Passed the Child, Youth and Family Services Act, which focuses on prevention and protection of young people. This includes raising the age of protection to 18 so that eligible vulnerable 16- and 17-year-olds can continue to access education, safe housing, and other support services that can help prevent human trafficking.
- Expanded the Victim/Witness Assistance Program to hire specialized human trafficking victim services workers to assist survivors through the criminal court process.
- Established a partnership between the Ministry of Health and Long-Term Care and the Centre for Addiction and Mental Health to develop a trauma-informed training program and online community of practice to help mental health and addiction professionals better understand and respond to the needs of human trafficking survivors.
- Expanded the Victim Quick Response Program to improve access to services such as recovery in a trauma-informed facility, tattoo removal, and replacement of government documents, to meet the immediate needs of survivors.

INDIGENOUS-LED APPROACHES

- Launched a new Indigenous-Led Initiatives Fund for projects designed for and by Indigenous people, with more than $4.5 million provided to 17 partners. These projects will provide Indigenous survivors with access to services, help prevent at-risk people from being exploited, meaningfully engage survivors with lived experience, and encourage innovation and community partnerships.
- Partnered with the Ontario Native Women's Association to establish the Indigenous Anti-Human Trafficking Liaisons program, the first of its kind in Canada. The liaisons work in key cities and regions with local organizations to ensure effective and culturally appropriate services are offered to Indigenous people who have experienced human trafficking.
- Worked collaboratively on implementation of the strategy with the newly-formed Provincial Committee on Human Trafficking, a specialized human trafficking advisory table composed of key Indigenous partners, which reports to the Executive Committee to End Violence Against Indigenous Women.

PROVINCIAL COORDINATION AND LEADERSHIP

- Established the Human Trafficking Lived Experience Roundtable (the first of its kind in Canada) to ensure ongoing input from survivors bolsters the province's efforts to end human trafficking.
- Liaised with ministries across government and engaged hundreds of partners to ensure a collaborative, coordinated approach to strengthening the systems that can prevent human trafficking and ensure that appropriate help is available for survivors.
- Designed a performance measurement framework for the strategy to ensure that clear and measurable outcomes are produced by the many initiatives across government to confront human trafficking and support survivors.

JUSTICE SECTOR INITIATIVES

- Passed the Anti-Human Trafficking Act, which increases protection for survivors of human trafficking and makes it easier for survivors to pursue compensation.
- Created a Provincial Human Trafficking Prosecution Team comprised of a coordinator and five specialized assistant prosecutors. The team is dedicated to effectively prosecuting human trafficking cases and ensuring a coordinated provincial approach.
- Created three new positions at Criminal Intelligence Service Ontario in the Ministry of Community Safety and Correctional Services, dedicated to improving human trafficking intelligence coordination and analysis across jurisdictions, as well as introducing highly specialized training.
- The Ontario Provincial Police is developing an Anti-Human Trafficking Investigations Coordination Team that will enhance investigative capacity and police coordination, and support a team-based, victim-centered approach throughout Ontario.

For more information on the Ontario Strategy to End Human Trafficking, please visit https://www.mcss.gov.on.ca/en/mcss/programs/humanTrafficking/firstYearProgress.aspx

Two survivors learn stenciling and product design as part of the alternative employment program at a center for trafficking victims in Thailand. Programs like this one help survivors rebuild a sense of community and prevent re-trafficking.

AFTER HUMAN TRAFFICKING: SUCCESSFUL MODELS THAT PROMOTE RESILIENCE AND PROVIDE LASTING PROTECTIONS FOR SURVIVORS

In the weeks and months after a human trafficking situation has ended, survivors experience significantly different levels of support from country to country. The resources and services available to survivors during this time depend on what actions governments take. Responses range from governments that provide access to comprehensive services to those that simply provide transportation costs for a survivor to return home or that even deport survivors who lack legal status. To minimize vulnerabilities to re-trafficking and empower survivors, governments should work to increase access to longer-term economic and educational opportunities in addition to initial, immediate support services.

Limited resources and inadequate understanding of the array of services survivors may need often result in insufficient assistance for survivors in the critical weeks and months after a trafficking situation. Comprehensive services—which include medical and mental health care, legal assistance, safety planning, and housing—can support a survivor's recovery and ability to transition successfully to a new life.

After this initial period, economic and educational opportunities can further prevent re-victimization, provide resources to rebuild, and assist in the transition from victim to survivor. Additionally, when individually tailored and self-selected services include family and community support, a survivor is more likely to transition from vulnerability—where they may face stigma and risk of further exploitation—to a position of self-sufficiency and dignity.

Key factors likely to contribute to long-term successful recovery and re-entry into a community include:

- Assessment of personal, family, and community vulnerability and resilience;
- Safe, available, and affordable housing with freedom of movement;
- Vocational training, access to the labor market, and opportunities for decent work, with life skills training to improve outcomes in the work place, family, and community;
- Support for family members, including job placement, and emotional and financial support as appropriate;
- Long-term access to mental health and psycho-social support services; and
- Community-based awareness raising and training to reduce stigma toward victims and encourage community-based support and monitoring of the well-being of victims and their families.

After a human trafficking situation, it is important to provide survivors with adequate time to develop trust in government agencies and service providers to foster their empowerment and informed decision-making about their recovery and re-entry into a community. As part of the legal framework in some countries, law enforcement officials provide a "reflection period" to allow foreign national victims of trafficking to make more informed decisions about their rights, including to choose whether to support law enforcement action, and provide assistance with returning to their country of origin.

The following are examples of programs in **Mexico, Serbia,** and **Indonesia** that demonstrate effective strategies to consider an individual's vulnerability and strengths, recovery from his or her experiences of exploitation and resulting trauma, the context in which the victim lived, and the circumstances to which that person will return.

In **Mexico**, a shelter for vulnerable children and adolescents initiated an independent living component for older youth subjected to human trafficking or otherwise exploited. After conducting a needs assessment, project staff worked with the young men and women to identify their vocational and social strengths to provide tailored, follow-up support, including shared apartments, life skills training, counseling, and job placement into full-time jobs in the community. The project resulted in survivors' increased emotional and social resilience, economic self-sufficiency, and reduced vulnerabilities to human trafficking.

An anti-trafficking NGO in **Serbia** maintains a reintegration center where victims of human trafficking receive basic medical, psychological, social, and legal assistance, as well as education, support in obtaining employment, and family counseling. The organization also supports victims with reintegration by training and hiring them at its bagel shop, the proceeds of which support other victim support programs. The bagel shop, which raises awareness of human trafficking in the community, is one of only a handful of economically sustainable social enterprises in Serbia.

In West Java, **Indonesia**, an international organization works with survivors of human trafficking to help them create sustainable livelihoods through microenterprises. The project helps shelter residents conduct a market analysis of the local community to identify types of businesses the local economy could support. As a result, dozens of survivors can coordinate resources through local cooperatives to build microenterprises in catfish farming, mushroom cultivation, food processing, and tailoring services.

Overall, support for more individually tailored economic and educational assistance is greatly needed to successfully support a survivor's recovery and provide the necessary tools to be self-sufficient. Although there is greater availability of services found in some countries immediately following removal from a trafficking situation, tailored, longer-term, and community-based assistance would decrease the risk of being re-trafficked and contribute to greater likelihood of long-term success. Close coordination between survivors and, wherever possible, destination and home country service providers, is also more likely to improve chances of success.

Learning from successful models that actively promote economic self-sufficiency, emotional and social resilience, and support from local communities can provide survivors with a greater chance of building a life of their choice. Governments should evaluate those models to strengthen their efforts to provide lasting protections for survivors.

Left: A boy uses a dangerous machine to manufacture shoe soles in Mexico.

Right: A man loads palm oil fruit harvested from a plantation in Indonesia. The cultivation of palm oil fruit requires extensive human and environmental resources. In remote areas where cultivation occurs illegally, workers are at higher risk of exploitation.

CHILD INSTITUTIONALIZATION AND HUMAN TRAFFICKING

The international community agrees that a family caregiving setting, or an alternative solution that is appropriate and culturally sensitive, is the most conducive environment for the growth, well-being, and safety of children. Removal of a child from the family should only be considered as a temporary, last resort. Studies have found that both private and government-run residential institutions for children, or places such as orphanages and psychiatric wards that do not offer a family-based setting, cannot replicate the emotional companionship and attention found in family environments that are prerequisites to healthy cognitive development. Yet, about eight million children worldwide live in these facilities, even though an estimated 80 to 90 percent of them have at least one living parent. The physical and psychological effects of staying in residential institutions, combined with societal isolation and often subpar regulatory oversight by governments, place these children in situations of heightened vulnerability to human trafficking.

Children in institutional care, including government-run facilities, can be easy targets for traffickers. Even at their best, residential institutions are unable to meet a child's need for emotional support that is typically received from family members or consistent caretakers with whom the child can develop an attachment. Children are especially vulnerable when traffickers recognize and take advantage of this need for emotional bonding stemming from the absence of stable parental figures. In addition, the rigid schedules and social isolation of residential institutions offer traffickers a tactical advantage, as they can coerce children to leave and find ways to exploit them.

Children are more at risk for human trafficking in ill-managed facilities that allow traffickers to operate in or around the facility with impunity. Residential institutions that are complicit or directly involved in human trafficking take advantage of unfettered access to the children, knowing they have nowhere to turn for support. Several orphanages, including in Oceania, Central America, and Eastern Europe, have been found in recent years to be doubling as brothels. In one instance, children of an orphanage as well as international NGOs reported detailed cases of staff forcing some of the girls, especially those from rural or indigenous communities, out at night to engage in commercial sex. Civil society groups have also identified forced labor in residential institutions, with one instance involving staff of an orphanage for children with disabilities forcing children to assist in construction projects and other dangerous tasks, such as sterilizing soiled mattresses, under the guise of "work therapy." In several countries, these children are made to perform domestic work in houses in the surrounding village or labor on a farm.

Institutional complicity can even extend to the practice of recruiting children for the facility. "Child finders" travel to local villages or communities—often those affected by war, natural disaster, poverty, or societal discrimination—and promise parents education, food security, safety, and healthcare for their children. Instead of fulfilling those promises, many orphanages use the children to raise funds by forcing them to perform shows for or interact and play with potential donors to encourage more donations. Orphanages have also kept children in poor health to elicit more sympathy and money from donors.

Foreign travelers wishing to include a charitable element in their vacation often partake in "voluntourism" at orphanages, which child advocacy organizations and governments have documented as harmful. Volunteering in these facilities for short periods of time without appropriate training can cause further emotional stress and even a sense of abandonment for already vulnerable children with attachment issues affected by temporary and irregular experiences of safe relationships. In addition, it is rare that background checks are performed on these volunteers, which can also increase the risk of children being exposed to individuals with criminal intent. Voluntourism not only has unintended consequences for the children, but also the profits made through volunteer-paid program fees or donations to orphanages from tourists incentivize nefarious orphanage owners to increase revenue by expanding child recruitment operations in order to open more facilities. These orphanages facilitate child trafficking rings by using false promises to recruit children and exploit them to profit from donations. This practice has been well-documented in several countries, including Nepal, Cambodia, and Haiti.

Even when a child leaves or ages out of a residential institution, the vulnerability to human trafficking continues, in part due to the physical and psychological damage many of these children have suffered. The societal isolation of residential institutions often prevents children from building stable, long-term familial, or social relationships. By depriving children of opportunities to develop a social support network, receive adequate schooling, experience common life or social situations, and practice using cognitive reasoning and problem-solving skills, residential institutions leave those departing from institutional care more vulnerable to traffickers' schemes. Some traffickers, in recognizing the heightened vulnerability of these children, wait for and target those who leave or age out of institutions.

In response, governments can take steps to protect children from these vulnerabilities, starting with providing assistance to families who find it difficult to provide their children with food, education, and healthcare and may be at risk of losing custody of their children as a result. Also, governments can develop, coordinate, and encourage family-based care options over institutional care whenever appropriate. Oversight bodies should demand stricter monitoring of children's homes, ensuring they meet international guidelines and pursue criminal accountability for those who facilitate or organize trafficking in or near government facilities. Governments can also evaluate their laws to increase protections for children with disabilities and strengthen parental rights and abilities to promote children staying with families when it is in the best interest of the child. Donor countries can ensure foreign assistance prioritizes support for programs or initiatives that preserve family-based care and do not support residential institutions that are not in compliance with international standards. Donor countries can also look at ways to increase oversight of organizations and charities funneling money to residential institutions abroad. Moreover, awareness-raising efforts can counter social

media campaigns promoting voluntourism in orphanages, as well as educate well-intentioned groups, such as tourism companies and religious organizations that unintentionally perpetuate the demand for children in residential institutions.

A paradigm shift away from institutional care to a family caregiving setting has its own challenges, beginning with recognizing that family members may be complicit in human trafficking and finding the resources and expertise to develop a solution that is most conducive to the health and safety of children. The international community has acknowledged that certain community care options, such as small group homes and kinship and community care where appropriate, can serve as alternatives while working toward a permanent placement in a family setting. Aftercare plans that include ongoing support from community resources can help children continue to thrive after being discharged. These arrangements can minimize the negative impact on children's development, as well as their vulnerability to human trafficking if they are kept short-term and adhere to international standards, including the ***UN Guidelines for the Alternative Care for Children*** (UN General Assembly A/RES/64/14223 (2010)). The depth of research documenting these risks stands as a compelling reason for governments to consider how to transition away from institutional care, while also providing resources for children transitioning from institutional care to successful adulthood.

NORTH KOREA

When Jae-Un's father, brothers, and grandmother died when she was 11 years old, North Korean authorities sent her and her sister to an orphanage. The orphanage did not provide the children with extra clothes or shoes, and they were not able to bathe. Jae-Un slept in a small room that she had to share with more than 45 other children; they could barely move while sleeping. During the day, all of the children had assigned jobs doing manual labor, and each day were forced to work very long hours. Several years later, a missionary helped Jae-Un and her sister escape to China.

Young children look through a security gate at an orphanage in South Africa. Many orphanages facilitate child trafficking by using false promises to recruit children and exploit them to profit from donations.

IMPLEMENTING A TRAUMA-INFORMED APPROACH

Survivors of human trafficking have often endured a degree of trauma significant enough to have lasting psychological and physical effects. To appropriately support survivors, a trauma-informed approach should be incorporated across all anti-trafficking efforts, including during the criminal justice process and while providing victim services. It is also critical to use a trauma-informed lens when carrying out prevention strategies and when engaging with survivors in the context of public awareness activities and media reporting.

Trauma is an emotional response to a terrible event. Most people have experienced some degree of trauma over the course of their lives, but every person responds to a traumatic event differently. A range of stress responses may be exhibited after experiencing a traumatic event; many individuals recover without lasting consequences while others experience long-term effects, including depression, post-traumatic stress disorder, and suicidal ideation.

Survivors of trafficking often experience ***complex trauma***, which is the exposure to multiple traumatic events, often of an invasive, interpersonal nature, with wide-ranging and long-term effects. Trafficking survivors also frequently have experienced ***polyvictimization***, where they endure multiples types of victimization or community violence—including emotional, physical, or sexual abuse from various actors. Research indicates complex trauma changes how one thinks, what one thinks about, and the brain's ability to store and make memories, experience healthy attachments, and develop trust.

Trauma disrupts the rational thought process and impairs the ability to handle stress, perceive when a threat is in the past, and manage emotions. Victims often experience re-traumatization when they are "triggered" or have flashbacks or intrusive thoughts that replicate the experience of their initial trauma. A survivor who may appear to be uncooperative, combative, or difficult could be experiencing such overwhelming symptoms related to trauma. A sense of stability and security must be attained before the individual can be expected to engage constructively with any systems or services. It is also important to recognize that maladaptive behaviors, including risky behaviors such as drug or alcohol abuse, can be part of an individual's survival mechanisms.

All those engaged in anti-trafficking work must understand the vast impacts of trauma and incorporate a trauma-informed approach to their work to more effectively support victims of trafficking. Law enforcement officials, prosecutors, service providers, and other allied professionals will likely observe a wide range of reactions related to trauma during the course of their work with survivors. Understanding the reason behind a survivor's actions will contribute immensely to building rapport and trust, whether preparing a victim-witness for trial or providing appropriate services.

Without a trauma-informed approach, criminal justice professionals and service providers may miss important cues and unintentionally re-traumatize the individual. Personal safety and self-preservation are the primary focus of the trafficking victim; concerned with basic matters of survival, victims may seem unresponsive or reluctant to engage. Many survivors may not self-identify as victims, and may even make initial statements that seem to protect the offenders, or even run away from or avoid law enforcement and service providers who are trying to assist them. Such realities require a greater investment of time, patience, and rapport-building than in traditional cases.

Being trauma-informed is a strengths-based approach that is responsive to the impact of trauma on a person's life. It requires recognizing symptoms of trauma and designing all interactions with victims of human trafficking in such a way that minimizes the potential for re-traumatization. In particular, this approach emphasizes creating physical, psychological, and emotional safety and well-being to address the unique experiences and needs of survivors. It involves creating a safe physical space in which to interact with survivors as well as assessing all levels of service and policy to create as many opportunities as possible for survivors to rebuild a sense of control. Most importantly, it promotes survivor empowerment and self-sufficiency. Victims of human trafficking should be empowered with choice whenever possible, including the ability to determine whether to participate in the criminal justice process. They should also have access to services that promote autonomy and are comprehensive, victim-centered, and culturally appropriate.

Additionally, trafficking survivors share that one of the most important steps to being trauma-informed is to be survivor-informed. A survivor-informed practice includes meaningful input from a diverse community of survivors at all stages of a program or project, including development, implementation, and evaluation. Whenever possible, law enforcement officials, prosecutors, service providers, and other allied professionals should solicit feedback from survivors on organizational policies and programming. Survivors should also be involved in evaluation activities, focus groups, and other efforts to assess the effectiveness of service delivery. Moreover, when sought out to provide input or consultation, survivors should be paid for their expertise and time.

Following is a checklist developed by the Trauma Center at the Justice Resource Institute for implementing a trauma-informed approach across prosecution, protection, and prevention efforts.

CHECKLIST FOR A TRAUMA-INFORMED APPROACH TO INTERACTIONS WITH SURVIVORS OF HUMAN TRAFFICKING*

- ☐ Be aware if the individual appears shut down or disconnected; this may be a sign that the person is overwhelmed.
- ☐ Have materials available that may support regulation of affect and impulses during meetings, conversation, or testimony.
- ☐ Check in to make sure the survivor is hearing and understanding your statements or questions and provide frequent breaks.
- ☐ Be aware that changes in memory do not necessarily indicate falsehood or storytelling, but may be indicative of a trauma response.
- ☐ Try to hold interviews or other key conversations at a time when the survivor feels most stable and safe.
- ☐ Help break down tasks concretely; assume that even small tasks may feel overwhelming. Support the survivor in accessing help with task completion.
- ☐ Focus on the facts of experiences, rather than getting caught up in the individual's emotional response or perception of events in making determinations about criminality.
- ☐ Be aware of the often confusing nature of the individual's relationships with the perpetrators; be conscious of not making assumptions.
- ☐ Don't take strong reactions personally; be very aware of managing your own emotional responses.
- ☐ Provide opportunities for control and empowerment whenever possible.
- ☐ Be aware of the importance of physical as well as emotional supports.

* Adapted from Justice Resource Institute, Utilizing Trauma-Informed Approaches to Trafficking-related Work. http://www.traumacenter.org/clients/projectreach/H-O%20Trauma-Informed%20Case%20Study_final.pdf

From top: An Indonesian official puts wrist bands on Burmese fishermen recently identified as victims of forced labor; A girl stands in the doorway of an illegally established brothel in Peru. In areas where illegal extraction of resources occurs, women and girls are vulnerable to sex trafficking; Local "tuk tuk" driver in Thailand displays a bumper sticker promoting awareness and prevention of sex trafficking of boys. Boys are often an overlooked population of those subjected to sex trafficking, especially in countries with a vast commercial sex industry such as Thailand.

HOW GOVERNMENTS ADDRESS DOMESTIC SERVITUDE IN DIPLOMATIC HOUSEHOLDS

Governments face a special challenge in addressing domestic servitude in diplomatic households, a form of human trafficking involving domestic workers employed by diplomats and international organization officials posted abroad. Although it is rare that diplomats subject domestic workers to involuntary servitude or other forms of exploitation, on those occasions when it does occur, the problem is a grave and challenging one for host governments to address.

Foreign mission personnel and their family members can enjoy various forms of immunity from jurisdiction in the country in which they are posted. In particular, foreign government representatives who are accredited to a host country as "diplomatic agents" or have equivalent status (such as Permanent Representative to the United Nations), along with their spouses and children, enjoy immunity from criminal and most civil jurisdiction, and thus cannot be sued or prosecuted unless their government grants a waiver of immunity. Diplomats and their immediate family members also enjoy personal inviolability, meaning they cannot be arrested or detained. Other foreign government representatives, such as embassy administrative and technical staff members, enjoy a less robust degree of privileges and immunities, but may also be immune from a host state's civil, administrative, and criminal jurisdiction.

The typical immunities for members of a diplomatic mission are enshrined in the Vienna Convention on Diplomatic Relations, a treaty based on the reciprocal interests of all States that both host foreign diplomats and send their own abroad. The Convention also obliges diplomats to respect the host nation's laws, and implicitly recognizes the long-held privilege of bringing foreign domestic workers on diplomatic assignments abroad.

Domestic workers often face circumstances that leave them extremely vulnerable to exploitation by their diplomat employers. They are usually legally resident in the country in which they are working only by virtue of their employment by the diplomat. Thus, they may remain in exploitative situations because they feel they have no other options. Further, these workers are often isolated from the community beyond the diplomat's family due to lack of familiarity with the language, institutions, and culture of the country in which they are employed. There is a significant power disparity between a diplomat, who is a government official of some standing, and a domestic worker, who likely has a modest background and may have limited education or language skills. In addition, domestic workers are usually made aware of the special status of diplomats and may believe that rules of accountability do not apply to their employers and that it is hopeless to seek help.

An international consensus has begun to take shape, but it should acknowledge that diplomats should be held accountable for exploitation of domestic workers.

For instance, it is increasingly understood that there is a temporal limit to the immunity enjoyed by diplomats and their family members. The Vienna Convention on Diplomatic Relations provides that, after a diplomat leaves his or her position, the diplomat enjoys a limited form of immunity that extends only to the diplomat's "official acts" while he or she was accredited. Employment of a domestic worker is widely recognized not to be an official act, thus domestic workers have successfully sued diplomats (and their spouses) ***after*** diplomatic status has been terminated for abuses alleged to have occurred while the diplomats were accredited.

The following sections outline some of the innovative approaches currently implemented by the U.S. government and other host governments around the world across the "3P" paradigm of Prevention, Protection, and Prosecution to address domestic servitude in diplomatic households.

PREVENTION

- Requiring that foreign domestic workers employed by diplomats have written contracts in a language workers understand before arriving in country; the contracts must specify the hours of work, wages, holidays, medical care, etc. Many governments also prohibit employers from holding workers' travel and identity documents.
- Requiring that domestic workers register in person with the host government (usually the Protocol Office in the Foreign Ministry). Registrations offer workers an opportunity to meet with host government representatives without their employer present to discuss their working conditions and learn about their rights and obligations. A domestic worker typically is provided with an identification card that is renewed periodically and contains contact information for assistance, if needed.
- Prohibiting payment of wages in cash in countries with effective banking systems, and instead requiring direct deposit of wages to a bank account in the sole name of the domestic worker or payment by check. These measures provide objective evidence in the event of a salary dispute. In addition, many governments have minimum wage requirements and prohibit entirely or specify the extent to which lodging or food expenses can be taken from wages, thereby limiting excessive deductions that can mask underpayment of wages.
- Limiting the number of domestic workers that any one diplomat may employ at the same time to help ensure diplomats can afford to pay the promised wages, as well as prohibiting workers' family members from accompanying them, as family members themselves

may be subject to exploitation. Workers accompanied by family may be less likely to report abuse for fear that their spouse or children will lose residence status.

- Requiring that domestic workers demonstrate understanding of at least one of the host country languages before a visa is issued.
- Providing training to diplomatic personnel on appropriate treatment of domestic workers before overseas assignments, and developing internal foreign ministry human resource policies to sanction diplomats who abuse domestic workers while posted abroad.

PROTECTION

- Bringing credible allegations of exploitation of a domestic worker by a diplomat to the attention of the ambassador of the sending state's mission and requesting a timely response to the allegations. Some host governments may also take the preventive step of limiting the issuance of visas for any additional domestic workers to be employed by mission members until the allegations are addressed satisfactorily.
- Engaging diplomatically with foreign governments to encourage settlement and/or payment of final court judgments in civil suits, including default judgments, against one of their diplomats. As described above, diplomats and their family members have been sued successfully by their former domestic workers after diplomatic status has been terminated.
- Encouraging diplomat employers who are the subject of serious allegations by domestic workers to address the problem and, if appropriate, provide compensation to the domestic worker, even if no formal legal redress is available in the country of assignment.
- Setting up alternative dispute resolution mechanisms in an attempt to mediate disputes between diplomats and domestic workers.
- Building partnerships between law enforcement and NGOs in the community to ensure that domestic workers fleeing human trafficking have access to shelter and support.

An Ethiopian domestic worker cleans a household in Lebanon. Domestic workers are often isolated and vulnerable to abuse and exploitation, especially in diplomatic households.

PROSECUTION

- Taking serious action to hold diplomats accountable. For example, if law enforcement authorities in the host state advise that they would prosecute the diplomat for a serious crime (including human trafficking) if the diplomat did not have immunity, then that host state could request that the sending state waive immunity to allow the prosecution to proceed. If such a waiver were not granted, the diplomat and family members could be required to depart the country.
- Referring credible allegations of exploitation of a domestic worker by a diplomat to law enforcement for investigation.
- Proposing former foreign mission members and, if appropriate, family members as the subject of INTERPOL "red notices," which are flags in an international system that alert law enforcement globally that the individuals are wanted by another national government for prosecution based on an arrest warrant.

PROMISING PRACTICES IN THE ERADICATION OF TRAFFICKING IN PERSONS: TRACKING SUSPICIOUS FINANCIAL FLOWS

Governments, in partnership with civil society and the private sector, can use forensic accounting strategies that enable financial institutions to identify and flag activity that may be consistent with human trafficking schemes.

There are a number of identifiable stages of a human trafficking scheme during which traffickers may interact with the financial system. Providing financial systems with guidance on red flag indicators to detect suspicious financial activities can greatly assist law enforcement and other authorities in their efforts to identify and prosecute human trafficking.

USING FINANCIAL TRANSACTIONS TO UNCOVER HUMAN TRAFFICKING

In recent years, governments around the world have established financial intelligence units (FIUs) to receive and analyze reports of suspicious financial activity that may be indicative of embezzlement, money laundering, and, increasingly, human trafficking.

FIUs are able to detect transactions, track money flows, and collect evidence tied to human trafficking crimes. They can also work closely with financial institutions to add red flag indicators of human trafficking to the list of suspicious activities warranting further scrutiny. While every context is unique, groups like the Egmont Group—of which more than 155 FIUs are members—serve as a venue for international collaboration to combat crimes with a financial component, and recent advances make it clear human traffickers should be among the targets.

Governments can develop procedures and precedents to use the information from suspicious transactions to hold human traffickers accountable. In 2017, for example, the Government of Thailand convicted a high-ranking government official for his involvement in human trafficking crimes. In this case, the government uncovered his role in the scheme in part due to its tracking of suspicious financial transactions.

In the United States, the U.S. Department of the Treasury uses its authorities, partnerships with law enforcement, and international engagement to combat human trafficking through targeted sanctions. The Department of the Treasury also protects the U.S. and international financial systems by blocking the property of numerous transnational criminal organizations, including those involved in human trafficking. As recently as January 2018, the United States sanctioned the Zhao Wei transnational criminal organization, a Laos-based group involved in numerous criminal activities, including child sex trafficking.

Tools Developed by Inter-governmental Organizations:

- ***Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants***—published by the Financial Action Task Force (FATF) to identify red flag indicators of money laundering from human trafficking operations and foster reporting of suspicious transactions. FATF is in the process of updating this report with a new study focused on the changing nature of the financial flows resulting from human trafficking.
- ***25 Keys to Unlock the Financial Chains of Human Trafficking & Modern Slavery***—a report on a workshop convened by UN University with the support of the Permanent Mission of Liechtenstein to the United Nations in March 2017 on disrupting money laundering associated with human trafficking. The report identifies key actionable items among various stakeholders, including developing strategies for engagement in the financial sector of high-risk industries (palm oil, cocoa, fisheries, hotel industry, mega-sport events construction).
- ***Policy Guide on Following the Money in Trafficking in Persons Cases***—the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime is compiling regional practices and approaches to using anti-money laundering and asset recovery tools to help law enforcement, prosecutors, and financial intelligence units combat human trafficking.
- ***Leveraging Anti-Money Laundering Regimes to Combat Trafficking in Persons Cases***—the Organization for Security and Cooperation in Europe (OSCE) report on participating States' promising practices to identify and prosecute instances of human trafficking through financial techniques, such as tracing, freezing, and confiscating proceeds.

In October 2017, the U.S. Department of the Treasury's Financial Crimes Enforcement Network launched a Human Trafficking Project Team through the Egmont Group of FIUs. The major objectives of this project include strengthening knowledge about financial flows related to human trafficking and identifying and disrupting these illicit flows. The Human Trafficking Project Team will work to enhance bilateral information-sharing to produce actionable information to disrupt these illicit financial flows and prosecute human trafficking.

THE IMPORTANCE OF PARTNERSHIPS

Monitoring the daily activity of local and global industries for evidence of illicit activity is a monumental task and governments cannot do it alone. Private financial institutions also play an important role through internal mechanisms to monitor their customers' transactions for potential red flags. To mitigate risk, financial institutions, brands, and suppliers often turn to internal and third-party risk assessment, due diligence, and compliance firms for data on entities with which they are doing business and on potential perpetrators of financial crimes. These firms provide critical services, often referred to as "Know Your Customer" or "Politically Exposed Persons" services, to assist financial institutions and corporations in screening clients and business partners to avoid complicity in money laundering and a host of other crimes. Law enforcement and government regulatory bodies also rely on these firms and their databases for investigative purposes and to coordinate with other agencies.

Other actors can also be a part of the solution. For example, a small Hong Kong-based NGO collaborates with financial institutions to increase the amount of quality data on potential perpetrators of human trafficking. It operates a media monitoring program that collects media reports and other reliable data (directly and through NGO partners), vets, and then packages the most trustworthy data for further review by these firms. In the last two years, this organization has introduced more than 5,000 names of suspected individuals and companies to these databases, and currently supplies on average more than 300 submissions per month, working with a growing number of global research partners spanning over 20 countries. Expanding the amount of data within this existing and effective institutional framework promises to help disrupt significantly financial flows and supply chains tainted by human trafficking, making it an effective tool for the prevention of human trafficking and the prosecution of perpetrators of human trafficking.

Collaboration, data-gathering, and information-sharing within existing institutional frameworks can be used to effectively disrupt financial flows related to trafficking in persons, and thus provide effective tools for both the prevention of human trafficking and the prosecution of human traffickers.

Examples of Red Flag Indicators related to Trafficking in Persons*:

- Use of cash: through couriers and money remitters; repeated cash withdrawals and transfers in small amounts to avoid identification or reporting requirements;
- Use of multiple bank accounts and credit cards, as well as multiple alias identities and addresses;
- Use of front companies, straw persons, or false identity documents;
- Inexplicable lifestyle compared to the client profile;
- Relations with persons with suspected or known criminal history;
- Use of cash to invest in real estate/high value goods;
- Frequent deposits or withdrawals with no apparent business source;
- Lack of any licit business behind banking operations;
- Use of ATM and credit cards at times inconsistent with normal operating hours for the business;
- Frequent money transfer to "risk" countries;
- Third party cash deposits made at various bank branches and via ATMs;
- Laundering of cash through casinos, import/export trades, etc.; and
- Use of the *hawala* or other informal banking systems.

* This is only a notional list of indicators, which is not exhaustive. No one transaction or red flag by itself is a clear indicator of trafficking in persons; accordingly, financial institutions may consider applying red flags in combination with other factors, such as a customer's profile and expected transaction activity. For a more comprehensive list of red flag indicators, see FATF, *Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants*, FATF Report (July 2011), Annex B. See also FinCEN Guidance on Recognizing Activity that May be Associated with Human Smuggling and Human Trafficking—Financial Red Flags.

MULTILATERAL EFFORTS TO COMBAT HUMAN TRAFFICKING THROUGH GLOBAL AND REGIONAL ENGAGEMENT

UNITED NATIONS (UN)

2017 Political Declaration Reaffirming the United Nations Global Plan of Action to Combat Trafficking in Persons

On September 27, 2017, the UN General Assembly adopted a political declaration reaffirming commitments to implement the Global Plan of Action to Combat Trafficking in Persons, which was adopted by the General Assembly in 2010. The Political Declaration includes a directive to examine the progress achieved and the continuing challenges for international organizations and officials at the national, regional, and global levels. The Political Declaration also strengthens the capacity of the United Nations Office on Drugs and Crime to collect information in order to connect and harmonize anti-trafficking efforts across UN programs and policies. To implement the Global Plan of Action a working group was established to advise and assist in the implementation of the Palermo Protocol.

United Nations Security Council Resolutions on Trafficking in Persons in Conflict (2016-2017)

The UN Security Council (the Council) adopted its first resolution on human trafficking (2331) in 2016, which called on member states to investigate, disrupt, and dismantle criminal networks by utilizing anti-money laundering, anti-corruption, and counterterrorism laws. It also emphasized the importance of international cooperation in law enforcement and strong partnerships with the private sector and civil society.

In 2017, the Council reiterated its condemnation of this crime by unanimously adopting resolution 2388, which strongly emphasizes its concern in particular for the heightened vulnerability of children to exploitation and abuse and the unlawful recruitment and use of children in armed conflict. It also requested the Secretary-General to further explore the links between child trafficking in conflict situations and the grave violations against children affected by armed conflict, with the view to addressing all violations and abuses against children in armed conflict.

These two resolutions underscore the importance of collecting evidence to ensure perpetrators are held accountable and the Council's intention to integrate an anti-trafficking component into the work of the Council's relevant Sanctions Committees. The Council stressed the importance of cooperation in enforcing international law in the investigation and prosecution of trafficking cases and further emphasized that peacekeeping and political missions can support the efforts of host states in combating human trafficking.

ORGANIZATION OF AMERICAN STATES (OAS)

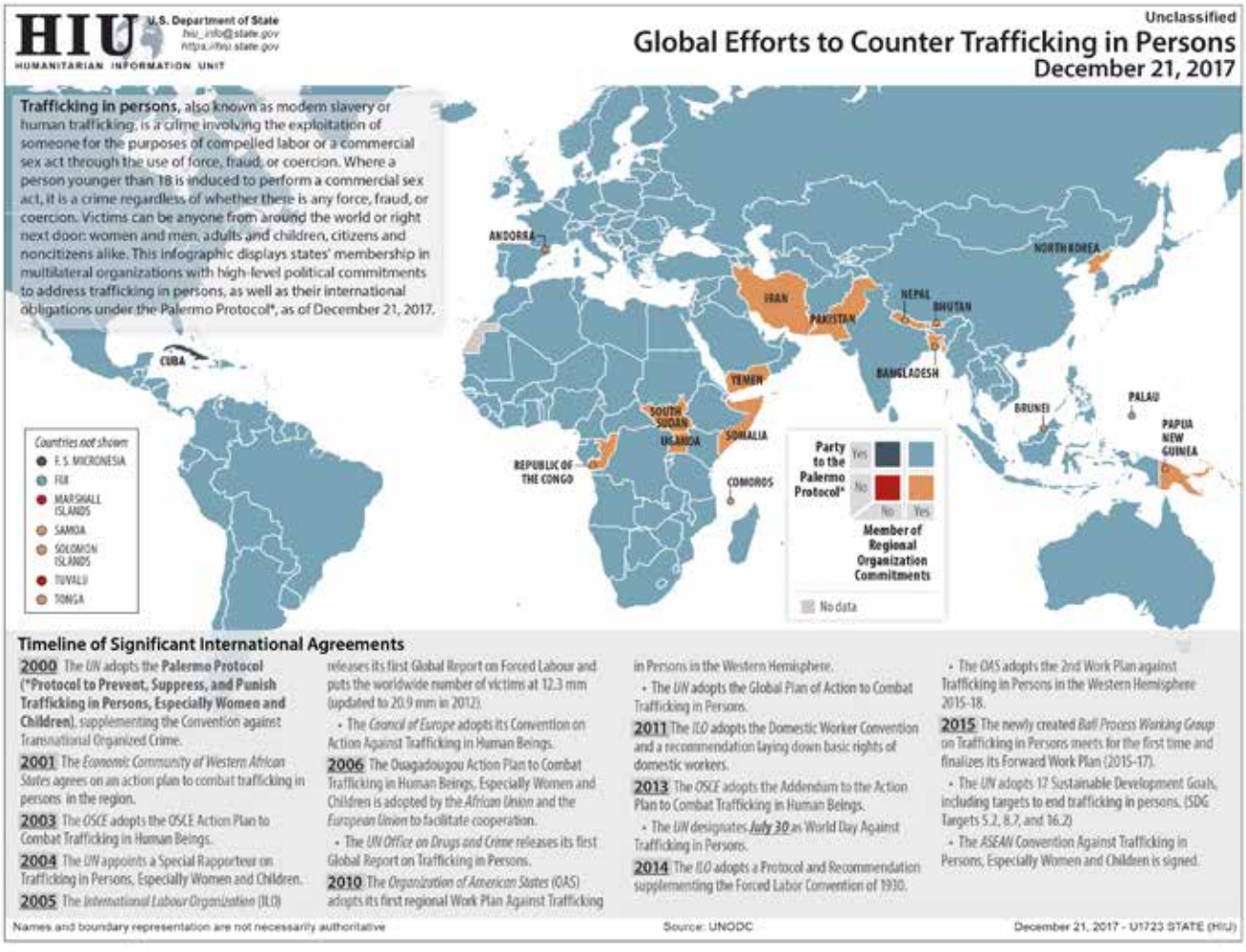
In March 2018, at the Fifth Meeting of National Authorities of the Americas on human trafficking, OAS member states reviewed progress made in the implementation of the Second Work Plan to Combat Trafficking in Persons in the Western Hemisphere (2015-2018), the only region in which every country is party to the Palermo Protocol. Member states shared best practices and national experiences, discussed challenges, reaffirmed the region's commitments to combating trafficking in persons, and adopted the Hemispheric Efforts Against Trafficking in Persons (Declaration of Mexico) to extend the current Work Plan to 2020. The declaration, among other things, promotes psychological, social, medical, and legal assistance for victims; calls for the update of national anti-trafficking legislation to define and criminalize the specific acts, means, and purpose of human trafficking as required by the Palermo Protocol; and calls for cooperation with the private sector and civil society to combat trafficking. The Second Work Plan recommends activities between OAS member states and provides mandates to the General Secretariat of the OAS in the areas of prevention, protection, and prosecution (the "3Ps"). The Second Work Plan also underlines supply chains, not previously highlighted in the first work plan, encouraging codes of conduct to ensure the protection of the human rights and fundamental freedoms of workers.

ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)

In 2003, the OSCE created the Office of Special Representative and Coordinator for Combating Trafficking in Human Beings to promote a victim-centered and human rights-based approach to combating human trafficking and to assist participating states in implementing effective policies. The OSCE Action Plan to Combat Trafficking in Human Beings (2003), which is grounded in the Palermo Protocol, addresses the participating states' implementation of their commitments across the OSCE's three dimensions of security (politico-military, economic and environmental, and human). Of note is the 2013 Addendum to the OSCE Action Plan, which includes commitments addressing domestic servitude in diplomatic households, internal trafficking, and the prevention of human trafficking in the tourism industry and in supply chains. In 2017, the OSCE Ministerial Council adopted new commitments addressing preventing human trafficking in government procurement supply chains, as well as strengthening efforts to combat child trafficking. The OSCE is currently working on strengthening its policies to prevent human trafficking in its own institutional procurement of contracts for goods and services. In addition, OSCE's Office for Democratic Institutions and Human Rights has an Adviser on Anti-Human Trafficking Issues who provides technical assistance to participating States on best practices and on their national referral mechanisms.

THE BALI PROCESS ON PEOPLE SMUGGLING, TRAFFICKING IN PERSONS AND RELATED TRANSNATIONAL CRIME (BALI PROCESS)

The Bali Process is a non-binding forum for policy dialogue, information-sharing, and practical cooperation to assist countries in the Indo-Pacific region and beyond to address shared challenges on a regional basis. It raises awareness regarding migrant smuggling, trafficking in persons, and related transnational crimes. It also serves to encourage cooperation and coordination among member states, the private sector, and with other regional and global initiatives to address effectively these crimes. At the 2016 Ministerial Conference, Ministers confirmed the main objectives and priorities by endorsing the Bali Process Declaration on People Smuggling, Trafficking in Persons, and Related Transnational Crime, which supported comprehensive strategies to address member states' interests, such as engaging with the private sector to promote and apply humane, non-abusive labor practices throughout supply chains and implement transparent and fair recruitment processes. The Bali Process Government and Business Forum, which launched in 2017, is a business-government partnership to combat human trafficking that highlights the critical role of the private sector in preventing trafficking in supply chains. The Bali Process has also established a Regional Support Office, which supports an ad hoc working group on human trafficking and strengthens practical cooperation to combat trafficking in persons, among other issues.



THE FACE OF MODERN SLAVERY

Sex Trafficking

When an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion, or any combination of such means, that person is a victim of trafficking. Under such circumstances, perpetrators involved in recruiting, harboring, transporting, providing, obtaining, patronizing, or soliciting of a person for that purpose are guilty of sex trafficking of an adult. Sex trafficking also may occur through a specific form of coercion whereby individuals are compelled to continue in prostitution through the use of unlawful "debt," purportedly incurred through their transportation, recruitment, or even their "sale"—which exploiters insist they must pay off before they can be free. Even if an adult initially consents to engage in commercial sex, it is irrelevant: if an adult, after consenting, is subsequently held in service through psychological manipulation or physical force, he or she is a trafficking victim and should receive benefits outlined in the Palermo Protocol and applicable domestic laws.

Child Sex Trafficking

When a child (under 18 years of age) is recruited, harbored, transported, provided, obtained, patronized, or solicited for the purpose of a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be prosecuted as human trafficking. There are no exceptions to this rule: no cultural or socioeconomic rationalizations alter the fact that children who are exploited in prostitution are trafficking victims. The use of children in the commercial sex industry is prohibited under U.S. law and by statute in most countries around the world. Sex trafficking has devastating consequences for children, including long-lasting physical and psychological trauma, disease (including HIV/AIDS), drug addiction, unwanted pregnancy, malnutrition, social ostracism, and even death.

Forced Labor

Forced labor, sometimes also referred to as labor trafficking, encompasses the range of activities—recruiting, harboring, transporting, providing, or obtaining—involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work. Once a person's labor is obtained by such means, the person's prior consent to work for an employer is legally irrelevant: the employer is a trafficker and the employee a trafficking victim. Migrants are particularly vulnerable to this form of human trafficking, but individuals also may be forced into labor in their own countries. Female victims of forced or bonded labor, especially women and girls in domestic servitude, are often sexually abused or exploited as well.

Bonded Labor or Debt Bondage

One form of coercion used by traffickers in both sex trafficking and forced labor is the imposition of a bond or debt. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors' debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed, wittingly or unwittingly, as a term of employment.

Traffickers, labor agencies, recruiters, and employers in both the country of origin and the destination country can contribute to debt bondage by charging workers recruitment fees and exorbitant interest rates, making it difficult, if not impossible, to pay off the debt. Such circumstances may occur in the context of employment-based temporary work programs in which a worker's legal status in the destination country is tied to the employer so workers fear seeking redress.

Domestic Servitude

Involuntary domestic servitude is a form of human trafficking found in distinct circumstances—work in a private residence—that create unique vulnerabilities for victims. It is a crime in which a domestic worker is not free to leave his or her employment and is abused and underpaid, if paid at all. Many domestic workers do not receive the basic benefits and protections commonly extended to other groups of workers—things as simple as a day off. Moreover, their ability to move freely is often limited, and employment in private homes increases their isolation and vulnerability. Labor officials generally do not have the authority to inspect employment conditions in private homes. Domestic workers, especially women, confront various forms of abuse, harassment, and exploitation, including sexual and gender-based violence. These issues, taken together, may be symptoms of a situation of domestic servitude. When the employer of a domestic worker has diplomatic status and enjoys immunity from civil and/or criminal jurisdiction, the vulnerability to domestic servitude is enhanced.

Forced Child Labor

Although children may legally engage in certain forms of work, children can also be found in slavery or slavery-like situations. Some indicators of forced labor of a child include situations in which the child appears to be in the custody of a non-family member who requires the child to perform work that financially benefits someone outside the child's family and does not offer the child the option of leaving, such as forced begging. Anti-trafficking responses should supplement, not replace, traditional actions against child labor, such as remediation and education. When children are enslaved, their exploiters should not escape criminal punishment—something that occurs when governments exclusively use administrative responses to address cases of forced child labor.

Unlawful Recruitment and Use of Child Soldiers

Child soldiering is a manifestation of human trafficking when it involves the unlawful recruitment and use of children—through force, fraud, or coercion—by armed forces as combatants or other forms of labor. Perpetrators may be government armed forces, paramilitary organizations, or rebel groups. Many children are forcibly abducted to be used as combatants. Others are made to work as porters, cooks, guards, servants, messengers, or spies. Young girls may be forced to "marry" or be raped by commanders and male combatants. Both male and female child soldiers are often sexually abused or exploited by armed groups and such children are subject to the same types of devastating physical and psychological consequences associated with child sex trafficking.

A 15-year-old rebel soldier of the Myanmar National Democratic Alliance Army loads bullets into the clip of a rifle near a military base.

CHILD SOLDIERS PREVENTION ACT LIST

The Child Soldiers Prevention Act of 2008 (CSPA) was signed into law on December 23, 2008 (Title IV of Pub. L. 110-457), and took effect on June 21, 2009. The CSPA requires publication in the annual *Trafficking in Persons Report* of a list of foreign governments identified during the previous year as having governmental armed forces or government-supported armed groups that recruit and use child soldiers, as defined in the act. These determinations cover the reporting period beginning April 1, 2017, and ending March 31, 2018.

For the purpose of the CSPA, and generally consistent with the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the term "child soldier" means:

(i) any person under 18 years of age who takes a direct part in hostilities as a member of governmental armed forces;

(ii) any person under 18 years of age who has been compulsorily recruited into governmental armed forces;

(iii) any person under 15 years of age who has been voluntarily recruited into governmental armed forces; or

(iv) any person under 18 years of age who has been recruited or used in hostilities by armed forces distinct from the armed forces of a state.

The term "child soldier" includes any person described in clauses (ii), (iii), or (iv) who is serving in any capacity, including in a support role, such as a "cook, porter, messenger, medic, guard, or sex slave."

Governments identified on the list are subject to restrictions, in the following fiscal year, on certain security assistance and commercial licensing of military equipment. The CSPA, as amended, prohibits assistance to governments that are identified in the list under the following authorities: International Military Education and Training, Foreign Military Financing, Excess Defense Articles, and Peacekeeping Operations, with exceptions for some programs undertaken pursuant to the Peacekeeping Operations authority. The CSPA also prohibits the issuance of licenses for direct commercial sales of military equipment to such governments. Beginning October 1, 2018, and effective throughout Fiscal Year 2019, these restrictions will apply to the listed countries, absent a presidential national interest waiver, applicable exception, or reinstatement of assistance pursuant to the terms of the CSPA. The determination to include a government in the CSPA list is informed by a range of sources, including first-hand observation by U.S. government personnel and research and credible reporting from various UN entities, international organizations, local and international NGOs, and international media outlets.

The 2018 CSPA List includes governments in the following countries:

1. Burma
2. Democratic Republic of the Congo
3. Iran
4. Iraq
5. Mali
6. Niger
7. Nigeria
8. Somalia
9. South Sudan
10. Syria
11. Yemen

"They wanted 25 children ages 8 to 15," said the teacher, who resisted the order. "They didn't say why, but we know that it's because they want to indoctrinate them and then recruit them. After they hit me, some of the children started crying and tried to run out of the classroom. But the fighters were all around. They caned a 7-year-old boy who tried to escape."

- School teacher in Somalia who refused to hand over children to Al-Shabab

A child rests a weapon on his shoulder during a traditional Mai Mai militia training in the Democratic Republic of Congo. Some governments and government-supported militias force children to serve as front-line soldiers or servants, and to guard checkpoints.

From understanding the seriousness of modern slavery crimes to valuing the importance of slavery-free supply chains, there is still a way to go before we see those with influence consistently responding to this crime appropriately. Stepping into 2018, it is my hope that this will indeed become the case, with all actors addressing slavery as a duty and the norm, rather than a burden and the exception."

- Kevin Hyland, UK Independent Anti-Trafficking Commissioner

In South Asia, there are cases of whole families trapped in debt bondage in brick kilns. Here, brick kiln workers in India stack finished bricks.

BANGLADESH

SCOTLAND

Ashik was struggling to support his family in Bangladesh when he saw an ad for chefs in London. The recruiter said he needed to pay up front for visas, so Ashik borrowed more than $20,000 from moneylenders. When he arrived in London, he was put on a bus to Scotland where he was forced to work in a remote hotel. The recruiter confiscated Ashik's passport and threatened to report him as an illegal worker if he complained. Ashik was the only employee responsible for dozens of hotel rooms and tour groups. He slept either on the floor of empty rooms or in an old caravan behind the hotel. Ashik was eventually able to leave but he was never paid for his work. He is still afraid to return home because of the money he owes recruiters.

METHODOLOGY

The Department of State prepared this *Report* using information from U.S. embassies, government officials, nongovernmental and international organizations, published reports, news articles, academic studies, and research trips to every region of the world, and information submitted to tipreport@state.gov. This email address provides a means by which organizations and individuals can share information with the Department of State on government progress in addressing trafficking.

U.S. diplomatic posts and domestic agencies reported on the trafficking situation and governmental action to fight trafficking based on thorough research that included meetings with a wide variety of government officials, local and international NGO representatives, officials of international organizations, journalists, academics, and survivors. U.S. missions overseas are dedicated to covering human trafficking issues year-round. The *2018 Trafficking in Persons Report* covers government efforts undertaken from April 1, 2017 through March 31, 2018.

PHILIPPINES

BRAZIL

Maria had left the Philippines several times to take domestic service jobs in other countries, and was excited to explore a new country. Working with a recruiter in Brazil, she accepted a job as a domestic worker in a Brazilian household. After she began her new job, Maria realized that the job was not as promised and she felt exploited by her employers. She consistently had to work 15-hour days, was forced to stay in the house, and had little access to food. Maria found a way to escape the home, but is still in debt to the recruitment agency that placed her in Brazil.

TIER PLACEMENT

The Department places each country in this *Report* onto one of four tiers, as mandated by the TVPA. This placement is based not on the size of the country's problem but on the extent of governments' efforts to meet the TVPA's minimum standards for the elimination of human trafficking (see page 44), which are generally consistent with the Palermo Protocol.

While Tier 1 is the highest ranking, it does not mean that a country has no human trafficking problem or that it is doing enough to address the problem. Rather, a Tier 1 ranking indicates that a government has made efforts to address the problem that meet the TVPA's minimum standards. To maintain a Tier 1 ranking, governments need to demonstrate appreciable progress each year in combating trafficking. Indeed, Tier 1 represents a responsibility rather than a reprieve.

Tier rankings and narratives in the 2018 Trafficking in Persons Report reflect an assessment of the following:

- enactment of laws prohibiting severe forms of trafficking in persons, as defined by the TVPA, and provision of criminal punishments for trafficking offenses;
- criminal penalties prescribed for human trafficking offenses with a maximum of at least four years' deprivation of liberty, or a more severe penalty;
- implementation of human trafficking laws through vigorous prosecution of the prevalent forms of trafficking in the country and sentencing of offenders;
- proactive victim identification measures with systematic procedures to guide law enforcement and other government-supported front-line responders in the process of victim identification;
- government funding and partnerships with NGOs to provide victims with access to primary health care, counseling, and shelter, allowing them to recount their trafficking experiences to trained social counselors and law enforcement in an environment of minimal pressure;
- victim protection efforts that include access to services and shelter without detention and with legal alternatives to removal to countries in which victims would face retribution or hardship;
- the extent to which a government ensures victims are provided with legal and other assistance and that, consistent with domestic law, proceedings are not prejudicial to victims' rights, dignity, or psychological well-being;
- the extent to which a government ensures the safe, humane, and to the extent possible, voluntary repatriation and reintegration of victims;
- governmental measures to prevent human trafficking, including efforts to curb practices identified as contributing factors to human trafficking, such as employers' confiscation of foreign workers' passports and allowing labor recruiters to charge prospective migrants excessive fees; and
- governmental efforts to reduce the demand for commercial sex acts and international sex tourism.

> *"What you earned belongs to me, I gave you the job, and I can kick you out."*
>
> *- Human trafficker to a Chinese victim in Malta*

Hereditary slavery still exists in some parts of the world despite laws prohibiting it. Said and Yarg's mother was a slave in Mauritania when they were born, so they became the property of the same family.

Tier rankings and narratives are NOT affected by the following:

- efforts, however laudable, undertaken exclusively by nongovernmental actors in the country;
- general public awareness events—government-sponsored or otherwise—lacking concrete ties to the prosecution of traffickers, protection of victims, or prevention of trafficking; and
- broad-based law enforcement or developmental initiatives.

A GUIDE TO THE TIERS

Tier 1

The governments of countries that fully meet the TVPA's minimum standards for the elimination of trafficking.

Tier 2

The governments of countries that do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch List

The government of countries that do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards, and for which:

a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;

b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or

c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

Tier 3

The governments of countries that do not fully meet the TVPA's minimum standards and are not making significant efforts to do so.

The TVPA lists additional factors to determine whether a country should be on Tier 2 (or Tier 2 Watch List) versus Tier 3: first, the extent to which the country is a country of origin, transit, or destination for severe forms of trafficking; second, the extent to which the country's government does not meet the TVPA's minimum standards and, in particular, the extent to which officials or government employees have been complicit in severe forms of trafficking; and third, reasonable measures that the government would need to undertake to be in compliance with the minimum standards in light of the government's resources and capabilities to address and eliminate severe forms of trafficking in persons.

A 2008 amendment to the TVPA provides that any country that has been ranked Tier 2 Watch List for two consecutive years and that would otherwise be ranked Tier 2 Watch List for the next year will instead be ranked Tier 3 in that third year. This "automatic downgrade" provision came into effect for the first time in the 2013 Report. The Secretary of State is authorized to waive the automatic downgrade based on credible evidence that a waiver is justified because the government has a written plan that, if implemented, would constitute making significant efforts to meet the TVPA's minimum standards for the elimination of trafficking and is devoting sufficient resources to implement the plan. The Secretary can only issue this waiver for two consecutive years. After the third year, a country must either go up to Tier 2 or down to Tier 3. Governments subject to the automatic downgrade provision are noted as such in the country narratives.

Funding Restrictions for Tier 3 Countries

Pursuant to the TVPA, governments of countries on Tier 3 may be subject to certain restrictions on assistance, whereby the President may determine not to provide U.S. government non-humanitarian, non-trade-related foreign assistance. In addition, the President may determine to withhold funding for government official or employee participation in educational and cultural exchange programs for certain Tier 3 countries. Consistent with the TVPA, the President may also determine to instruct the U.S. Executive Director of each multilateral development bank and the International Monetary Fund to vote against and use his or her best efforts to deny any loans or other uses of the institutions' funds to a designated Tier 3 country for most purposes (except for humanitarian, trade-related, and certain development-related assistance). Alternatively, the President may waive application of the foregoing restrictions upon a determination that the provision to a Tier 3 country of such assistance would promote the purposes of the TVPA or is otherwise in the national interest of the United States. The TVPA also authorizes the President to waive funding restrictions if necessary to avoid significant adverse effects on vulnerable populations, including women and children.

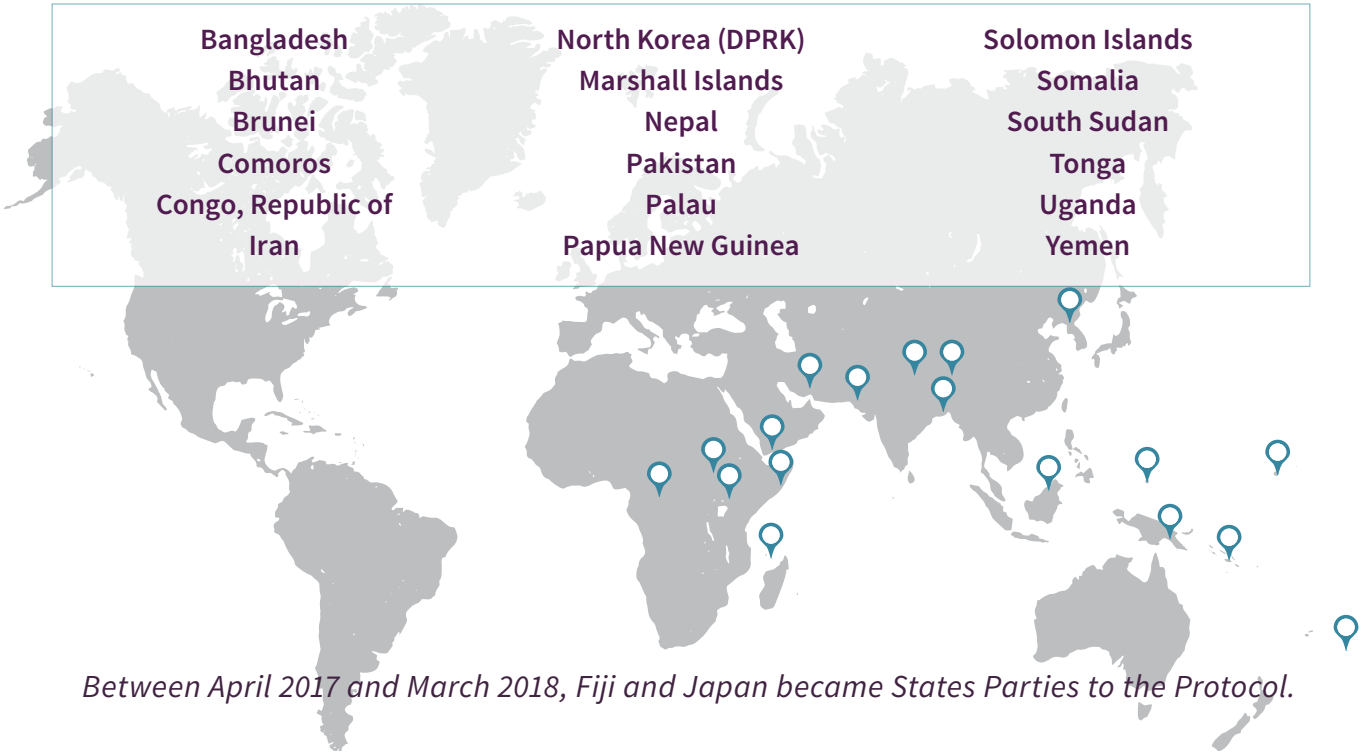
Applicable funding restrictions apply for the next Fiscal Year, which begins October 1, 2018.

No tier ranking is permanent.

Every country, including the United States, can do more. All countries must maintain and continually increase efforts to combat trafficking.

Countries in the *2018 TIP Report* that are not States Parties to the Protocol to Prevent, Suppress and Punish Trafficking In Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Bangladesh
Bhutan
Brunei
Comoros
Congo, Republic of
Iran
North Korea (DPRK)
Marshall Islands
Nepal
Pakistan
Palau
Papua New Guinea
Solomon Islands
Somalia
South Sudan
Tonga
Uganda
Yemen



Between April 2017 and March 2018, Fiji and Japan became States Parties to the Protocol.

Left to right: Venezuelan migrants wait to be resettled in a migrant shelter in Brazil. When political or economic crises force large numbers of people to leave their home, neighboring countries can struggle to adequately protect them from becoming vulnerable to human trafficking. A man in Cote d'Ivoire carries a bag of cacao on his head. Laborers in agriculture, including cacao and cocoa cultivation in West Africa, are vulnerable to forced labor.

> *A lot of the time, traffickers go to malls, bus stops or public places where a lot of people congregate, or they'll even go to schools. The older person knows how to manipulate and how to tell if a girl is insecure or has low self-esteem."*
>
> *- Human trafficking survivor advocate, Genevieve Hightower (Santa Rosa, CA rape crisis and sexual assault center)*

SOUTH AFRICA

Joan, a young woman with mental disabilities, was lured from school by two elderly women from her hometown who offered her a job. She was then held against her will in their house, where they sedated and deprived her of food. The women forced Joan to have sex with many individuals who paid with money, gifts,and food. Joan was eventually found and helped by the police. The two elderly women were arrested and charged with sex trafficking.

GLOBAL LAW ENFORCEMENT DATA

The Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003 added to the original law a new requirement that foreign governments provide the Department of State with data on trafficking investigations, prosecutions, convictions, and sentences in order to fully meet the TVPA's minimum standards for the elimination of trafficking (Tier 1). The 2004 *TIP Report* collected this data for the first time. The 2007 *TIP Report* showed for the first time a breakout of the number of total prosecutions and convictions that related to labor trafficking, placed in parentheses.

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	7,909 (456)	3,969 (278)	42,291 (15,205)	15
2012	7,705 (1,153)	4,746 (518)	46,570 (17,368)	21
2013	9,460 (1,199)	5,776 (470)	44,758 (10,603)	58
2014	10,051 (418)	4,443 (216)	44,462 (11,438)	20
2015	19,127 (857)	6,615 (456)	77,823 (14,262)	30
2016	14,939 (1,038)	9,072 (717)	68,453 (17,465)	25
2017	17,880 (869)	7,045 (332)	100,409 (23,906)	5

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

TRAFFICKING VICTIMS PROTECTION ACT: MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING IN PERSONS

Trafficking Victims Protection Act of 2000, Div. A of Pub. L. No. 106-386, § 108, as amended.

(1) The government of the country should prohibit severe forms of trafficking in persons and punish acts of such trafficking.

(2) For the knowing commission of any act of sex trafficking involving force, fraud, coercion, or in which the victim of sex trafficking is a child incapable of giving meaningful consent, or of trafficking which includes rape or kidnapping or which causes a death, the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault.

(3) For the knowing commission of any act of a severe form of trafficking in persons, the government of the country should prescribe punishment that is sufficiently stringent to deter and that adequately reflects the heinous nature of the offense.

(4) The government of the country should make serious and sustained efforts to eliminate severe forms of trafficking in persons.

Indicia of "Serious and Sustained Efforts"

(1) Whether the government of the country vigorously investigates and prosecutes acts of severe forms of trafficking in persons, and convicts and sentences persons responsible for such acts, that take place wholly or partly within the territory of the country, including, as appropriate, requiring incarceration of individuals convicted of such acts. For purposes of the preceding sentence, suspended or significantly reduced sentences for convictions of principal actors in cases of severe forms of trafficking in persons shall be considered, on a case-by-case basis, whether to be considered as an indicator of serious and sustained efforts to eliminate severe forms of trafficking in persons. After reasonable requests from the Department of State for data regarding investigations, prosecutions, convictions, and sentences, a government which does not provide such data, consistent with the capacity of such government to obtain such data, shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and on June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.

(2) Whether the government of the country protects victims of severe forms of trafficking in persons and encourages their assistance in the investigation and prosecution of such trafficking, including provisions for legal alternatives to their removal to countries in which they would face retribution or hardship, and ensures that victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts as a direct result of being trafficked, including by providing training to law enforcement and immigration officials regarding the identification and treatment of trafficking victims using approaches that focus on the needs of the victims.

(3) Whether the government of the country has adopted measures to prevent severe forms of trafficking in persons, such as measures to inform and educate the public, including potential victims, about the causes and consequences of severe forms of trafficking in persons, measures to establish the identity of local populations, including birth registration, citizenship, and nationality, measures to ensure that its nationals who are deployed abroad as part of a diplomatic, peacekeeping, or other similar mission do not engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, a transparent system for remediating or punishing such public officials as a deterrent, measures to prevent the use of forced labor or child labor in violation of international standards, effective bilateral, multilateral, or regional information sharing and cooperation arrangements with other countries, and effective policies or laws regulating foreign labor recruiters and holding them civilly and criminally liable for fraudulent recruiting.

(4) Whether the government of the country cooperates with other governments in the investigation and prosecution of severe forms of trafficking in persons and has entered into bilateral, multilateral, or regional law enforcement cooperation and coordination arrangements with other countries.

(5) Whether the government of the country extradites persons charged with acts of severe forms of trafficking in persons on substantially the same terms and to substantially the same extent as persons charged with other serious crimes (or, to the extent such extradition would be inconsistent with the laws of such country or with international agreements to which the country is a party, whether the government is taking all appropriate measures to modify or replace such laws and treaties so as to permit such extradition).

(6) Whether the government of the country monitors immigration and emigration patterns for evidence of severe forms of trafficking in persons and whether law enforcement agencies of the country respond to any such evidence in a manner that is consistent with the vigorous investigation and prosecution of acts of such trafficking, as well as with the protection of human rights of victims and the internationally recognized human right to leave any country, including one's own, and to return to one's own country.

(7) Whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials, including diplomats and soldiers, who participate in or facilitate severe forms of trafficking in persons, including nationals of the country who are deployed abroad as part of a diplomatic, peacekeeping, or other similar mission who engage in or facilitate severe forms of trafficking in persons or exploit victims of such trafficking, and takes all appropriate measures against officials who condone such trafficking. A government's failure to appropriately address public allegations against such public officials, especially once such officials have returned to their home countries, shall be considered inaction under these criteria. After reasonable requests from the Department of State for data regarding such investigations, prosecutions, convictions, and sentences, a government which does not provide such data consistent with its resources shall be presumed not to have vigorously investigated, prosecuted, convicted, or sentenced such acts. During the periods prior to the annual report submitted on June 1, 2004, and June 1, 2005, and the periods afterwards until September 30 of each such year, the Secretary of State may disregard the presumption contained in the preceding sentence if the government has provided some data to the Department of State regarding such acts and the Secretary has determined that the government is making a good faith effort to collect such data.

(8) Whether the percentage of victims of severe forms of trafficking in the country that are non-citizens of such countries is insignificant.

(9) Whether the government has entered into effective, transparent partnerships, cooperative arrangements, or agreements that have resulted in concrete and measurable outcomes with

(A) domestic civil society organizations, private sector entities, or international nongovernmental organizations, or into multilateral or regional arrangements or agreements, to assist the government's efforts to prevent trafficking, protect victims, and punish traffickers; or

(B) the United States toward agreed goals and objectives in the collective fight against trafficking.

(10) Whether the government of the country, consistent with the capacity of such government, systematically monitors its efforts to satisfy the criteria described in paragraphs (1) through (8) and makes available publicly a periodic assessment of such efforts.

(11) Whether the government of the country achieves appreciable progress in eliminating severe forms of trafficking when compared to the assessment in the previous year.

(12) Whether the government of the country has made serious and sustained efforts to reduce the demand for

(A) commercial sex acts; and

(B) participation in international sex tourism by nationals of the country.

This day center in Thailand serves local children who are at-risk of trafficking and exploitation in a landfill dumping area.

2018 TIP REPORT HEROES

Each year, the Department of State honors individuals around the world who have devoted their lives to the fight against human trafficking. These individuals included NGO workers, lawmakers, government officials, survivors of human trafficking, and concerned citizens who are committed to ending modern slavery. They are recognized for their tireless efforts—despite resistance, opposition, and threats to their lives—to protect victims, punish offenders, and raise awareness of human trafficking trends in their countries and abroad. For more information about current and past Trafficking in Persons Report Heroes, including how to connect with them, please visit the Trafficking in Persons Report Heroes Global Network at www.tipheroes.org.

AUSAMAH ALABSI
BAHRAIN

Ausamah AlAbsi, the CEO of the Bahraini government's Labor Market Regulatory Authority (LMRA) and Chairman of the National Committee to Combat Trafficking in Persons (NCCTIP), has played an instrumental role in increasing protections for trafficking victims and reducing the vulnerability of migrant workers to human trafficking in Bahrain.

As CEO of the LMRA, and previously as the Deputy CEO for Special Projects in the Economic Development Board, Mr. AlAbsi has been a devoted advocate working to improve labor conditions for Bahrain's large migrant worker population. Under his leadership, the Government of Bahrain launched its National Referral Mechanism for Victims of Trafficking in Persons, which streamlines the identification of potential victims, ensures proper documentation and referral of cases, and provides assistance to potential victims until the resolution of their cases or voluntary return to their home countries. Mr. AlAbsi also led the NCCTIP in establishing an impressive 200-bed shelter for trafficking victims that remains a model for its high standards of victim care and implemented programs to increase protections for Bahrain's undocumented worker population. In addition, the LMRA launched the "flexible work permit" program in July 2017, an initiative that moves Bahrain away from a strict sponsorship system by allowing some foreign workers to live and work in the country as their own sponsors, in an effort to reduce their vulnerability to trafficking by unscrupulous employers.

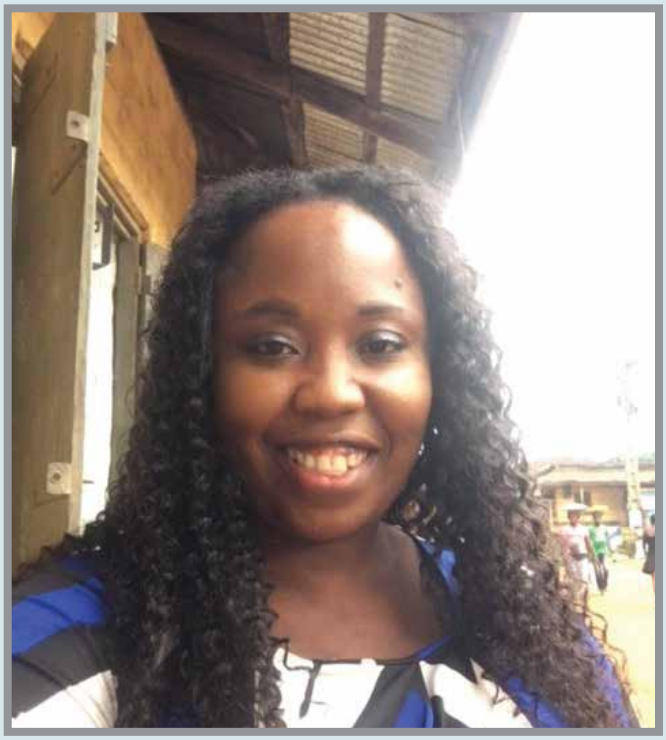
JOSUE ANGO
BURKINA FASO

Josue Ango, the director of the department in charge of combating violence against children within the Ministry of Women, National Solidarity and Family, is a driving force behind Burkina Faso's efforts to combat human trafficking. In addition to his regular duties, Mr. Ango devotes his personal time to serving as the National Coordinator for the Working Group on Child Protection including Trafficking in Persons, which brings together Burkinabe government agencies, and national and international organizations, to coordinate anti-trafficking efforts.

Throughout his career, Mr. Ango has demonstrated an unwavering commitment to building the Burkinabe government's capacity to address this crime. Mr. Ango has organized and conducted trainings for numerous stakeholders, including government officials, social workers, police officers, and traditional and religious leaders on children rights. He drafted the National Program to Combat Child Labor in the mining sector, which included new provisions to strengthen protections for children. Mr. Ango played a critical role in recognizing the need for and developing a solution to establish stronger cooperation between Burkina Faso and Côte d'Ivoire to combat cross-border human trafficking.

In addition, Mr. Ango has worked tirelessly to reduce the vulnerability of youth in Burkina Faso's two major cities, Ouagadougou and Bobo-Dioulasso, through projects focused on the social and economic empowerment and reintegration of homeless youth.

FRANCISCA AWAH MBULI
CAMEROON



Francisca Awah Mbuli is a survivor of human trafficking and the founding director of Survivors' Network, a Cameroonian NGO comprised of trafficking survivors that raises awareness, helps victims escape their trafficking situations, and offers temporary housing, vocational training, and other essential services that survivors need for successful reintegration. As a survivor of domestic servitude, Ms. Awah Mbuli uses her experience to educate and prevent others in Cameroon from experiencing human trafficking. Since 2015, Ms. Awah Mbuli and her organization have helped 28 women from West and Central Africa free themselves from their situations of forced labor, including debt bondage, in the Middle East. Under her leadership, Survivors' Network has built a unique approach to survivor empowerment by focusing on economic independence and fostering entrepreneurship among women and girls. She has provided guidance to more than 500 victims of trafficking, and her organization has helped create economic opportunities for survivors across Cameroon by providing micro-financing to small businesses and income-generating projects as well as job and small business training.

Ms. Awah Mbuli has sought out creative ways to reach different communities and socioeconomic groups throughout the country, including through appearances on national and international television and radio stations. She has taken every opportunity to advocate for better protections and support services for trafficking victims with Cameroonian and foreign government ministries. Through the outreach campaigns and partnerships formed with international non-profit organizations and her grassroots workshops and programs, Ms. Awah Mbuli and the Survivors' Network have raised the level of awareness among Cameroonians and others around the world.

YANIRA VIOLETA OLIVARES PINEDA
EL SALVADOR

Yanira Violeta Olivares Pineda is the head of the national Specialized Trafficking in Persons Unit in San Salvador, where she leads a team of prosecutors dedicated to holding human traffickers accountable and delivering justice to victims. Ms. Olivares Pineda has been a central and fearless figure in elevating human trafficking as a priority issue for the Salvadoran government and strengthening its efforts to combat this crime. Under her exemplary leadership, the Unit has overcome resource constraints to maintain constant pressure on traffickers. Ms. Olivares Pineda personally opened more than 143 cases involving 174 victims, securing more than 30 convictions with punishments ranging from four to 20 years in prison.

In her role, Ms. Olivares Pineda has been a strong partner of the U.S. government, establishing procedures for information- and intelligence-sharing with U.S. law enforcement on trafficking investigations that have resulted in the identification of traffickers in both the United States and El Salvador, the seizure of their assets, and an increase in the number of traffickers extradited from the United States to El Salvador.

MAIZIDAH SALAS
INDONESIA

Maizidah Salas is a leading voice for migrant worker rights in Indonesia. Using her experience as a former migrant worker and survivor of human trafficking, Ms. Salas pioneered the establishment of the Village of Migrant Workers, a community that provides skills training and support to individuals and their families who migrate for economic opportunity and that works to increase awareness about human trafficking among this vulnerable population. Her organization employs former migrant workers, including trafficking survivors, to provide training on safe migration practices, economic empowerment, and early childhood education for those working or considering work overseas. The Village has become a model community in Indonesia.

Since 2011, Ms. Salas has served on the executive board of the National Council of Indonesian Migrant Workers' Union and as the Chairwoman of the local Indonesian Migrant Workers' Union in Wonosobo. Her ambition and drive have also led her to establish a school for children of migrant workers in a village in Wonosobo, which garnered recognition from the Indonesian government.

Ms. Salas has been a staunch advocate for trafficking survivors and their families, elevating the importance of protecting their rights and offering needed services. She has also raised awareness among Indonesians about human trafficking through multiple public outreach campaigns, including through her role in a recent anti-trafficking film.

SUNITA DANUWAR
NEPAL

Sunita Danuwar has made the remarkable transformation from trafficking victim to one of Nepal's leading social activists. As the co-founder and Executive Director of Shakti Samuha, an NGO founded in 1996 that began providing shelter support to trafficking victims in Nepal in 2004, Ms. Danuwar has demonstrated an unwavering commitment to empowering other survivors. Under her leadership, Shakti Samuha has expanded its services to provide repatriation assistance, legal aid, vocational and life skill training, livelihood support, job placement services, and psycho-social counseling to more than 20,000 people in some of the poorest communities across 13 districts in Nepal.

Ms. Danuwar has worked tirelessly to prevent human trafficking in poor and rural Nepali communities, traveling to villages to raise awareness and creating plays depicting human trafficking. She recently published her autobiography, *Ashuko Shakti* ("The Power of Tears"), to elevate self-esteem among survivors and empower them to overcome social stigma when discussing their experiences.

From 2009 to 2011, Ms. Danuwar headed the Alliance Against Trafficking of Women and Children in Nepal, a national network of NGOs working to raise strong and collective voices against human trafficking, and served as a board member of the Global Alliance Against Traffic in Women, a global anti-trafficking network. Since 2014, Ms. Danuwar has served as a survivor representative on the National Committee on Controlling Human Trafficking. In each of her positions, Ms. Danuwar dedicated herself to giving a voice to trafficking survivors and elevating their perspectives.

BLESSING OKOEDION
NIGERIA

Blessing Okoedion is an inspirational voice in the fight against modern slavery. Ms. Okoedion plays an integral role in pushing Italian authorities to ensure that survivors, especially Nigerian women and girls, receive the services they deserve during their healing process and that law enforcement and service providers engage with survivors in an increasingly culturally informed, victim-centered manner. She selflessly devotes her time to ensure survivors feel they have a trusted champion who can advocate on their behalf as they go through the process of reintegrating into society, including through her work as a cultural mediator for trafficking victims staying in a local shelter run by a community of Ursuline sisters.

Ms. Okoedion has demonstrated exceptional courage in drawing from her own experiences as a trafficking survivor to raise awareness about human trafficking in Italy, where she was subjected to sex trafficking. Ms. Okoedion also partners with the Catholic Church, particularly women religious, and travels throughout her home country of Nigeria to educate vulnerable women and girls in poor and remote areas to help them detect traffickers' fraudulent recruitment and employment tactics, including false promises of work and a better life in large cities and other countries. In 2017, she published a book, co-written with an Italian journalist, to tell her story and to shine a light on this abhorrent practice.

IVANA RADOVIĆ
SERBIA

Ivana Radović is the Head of Policy and Learning at ASTRA, one of Serbia's leading grassroots anti-trafficking NGOs. In this role, she has worked tirelessly to strengthen Serbia's response to human trafficking through advocacy and engagement with the government, the development of reports and resources for practitioners, and the provision of legal representation for victims, including free legal review of workers' employment contracts to ensure compliance with labor laws. She also acts as ASTRA's public relations officer, boldly serving as the public representative of the organization in the face of threats, harassment, and scrutiny.

Ms. Radović produces the organization's annual report on the successes and shortfalls in Serbia's prosecution efforts on human trafficking cases and has authored a number of key manuals that Serbian court officials reference extensively. These tools have played an instrumental role in helping Serbia's judicial system provide relief to victims in an increasingly victim-centered manner and enhancing prosecutors' and judges' understanding of human trafficking in its various forms.

As a result of Ms. Radović's work to build ASTRA into one of the most credible NGOs fighting human trafficking in the country, Serbia's government established a cooperative relationship with the organization and has included its staff in many of its anti-trafficking initiatives to serve as subject matter experts.

KIM JONG-CHUL
SOUTH KOREA

Kim Jong-chul is the founder and former Director of the Advocates for Public Interest Law. He has worked tirelessly as an attorney to ensure justice for victims of human trafficking and as a researcher whose groundbreaking investigative findings have shed light on the issue of forced labor in South Korea and around the world. Mr. Kim's renowned research studies are based on his meticulous on-the-ground investigations. His findings have increased understanding of forced labor and other human rights abuses across multiple countries and industries, including seafood in East Asia, cotton in Uzbekistan, steel mills in India, electronics in Mexico, palm oil in Indonesia, and garments in Bangladesh.

Through Mr. Kim's criminal litigation work and administrative advocacy on behalf of trafficking victims, he has fought to prevent the detention and deportation of sex trafficking victims and to secure convictions against fishing companies and individuals for sex and labor trafficking. As a recognized subject matter expert on human trafficking, he has worked extensively with South Korean members of parliament to craft a law that strengthens regulations to prosecute traffickers, protect victims, and prevent human trafficking.

YOSIEF ABRHAM MEHARI
SUDAN

Yosief Abrham Mehari is a practicing medical doctor who has demonstrated an unparalleled commitment to serving survivors of human trafficking in Sudan. He devotes his personal time to ensure victims in Khartoum and in Sudan's remote areas receive high-quality medical care and support. Dr. Abrham Mehari dedicates his nights and weekends to lend his medical expertise on a volunteer basis at Eritrean and Ethiopian safe houses, where the majority of the beneficiaries are victims of trafficking. He has selflessly offered to be on call 24/7 so victims have a primary point of contact when they first seek services after escaping their traffickers.

Access to medical care is often limited or non-existent for trafficking victims who lack legal status and fear reprisal from traffickers. These challenges are exacerbated when the service providers that do exist lack the medical supplies needed to appropriately care for victims. In a demonstration of his extraordinary generosity, Dr. Abrham Mehari often purchases medicine and even medical equipment using his own resources. In addition to volunteering his resources and expertise, Dr. Abrham Mehari coordinates with Sudanese authorities and service providers to see that victims receive proper care and traffickers are held accountable.

THE TIERS

TIER 1

Countries whose governments fully meet the Trafficking Victims Protection Act's (TVPA) minimum standards.

TIER 2

Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

TIER 2 WATCH LIST

Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;

b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or

c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

TIER 3

Countries whose governments do not fully meet the minimum standards and are not making significant efforts to do so.

TIER PLACEMENTS

TIER 1

ARGENTINA
ARUBA
AUSTRALIA
AUSTRIA
THE BAHAMAS
BAHRAIN
BELGIUM
CANADA
CHILE
COLOMBIA
CYPRUS
CZECH REPUBLIC
DENMARK
ESTONIA
FINLAND
FRANCE
GEORGIA
GERMANY
GUYANA
ISRAEL
ITALY
JAPAN
KOREA, SOUTH
LITHUANIA
LUXEMBOURG
NETHERLANDS
NEW ZEALAND
NORWAY
PHILIPPINES
POLAND
PORTUGAL
SLOVAKIA
SLOVENIA
SPAIN
SWEDEN
SWITZERLAND
TAIWAN
UNITED KINGDOM
UNITED STATES OF AMERICA

TIER 2

AFGHANISTAN
ALBANIA
ANTIGUA & BARBUDA
ARMENIA
AZERBAIJAN
BARBADOS
BENIN
BOTSWANA
BRAZIL
BRUNEI
BULGARIA
BURKINA FASO
CABO VERDE
CAMBODIA
CAMEROON
COSTA RICA
COTE D'IVOIRE
CROATIA
CURAÇAO
DJIBOUTI
DOMINICAN REPUBLIC
ECUADOR
EGYPT
EL SALVADOR
ETHIOPIA
GHANA
GREECE
HONDURAS
ICELAND
INDIA
INDONESIA
IRELAND
JAMAICA
JORDAN
KAZAKHSTAN
KENYA
KOSOVO
LATVIA
LEBANON
LESOTHO
MACEDONIA
MALAWI
MALTA
MARSHALL ISLANDS
MAURITIUS
MEXICO
MICRONESIA
MOLDOVA
MOROCCO
MOZAMBIQUE
NAMIBIA
NEPAL
OMAN
PAKISTAN
PALAU
PANAMA
PARAGUAY
PERU
QATAR
ROMANIA
RWANDA
ST. LUCIA
ST. VINCENT & THE GRENADINES
SERBIA
SINGAPORE
SOLOMON ISLANDS
SRI LANKA
TANZANIA
THAILAND
TIMOR-LESTE
TONGA
TRINIDAD & TOBAGO
TUNISIA
TURKEY
UGANDA
UKRAINE
UNITED ARAB EMIRATES
URUGUAY
VIETNAM
ZAMBIA

TIER 2 WATCH LIST

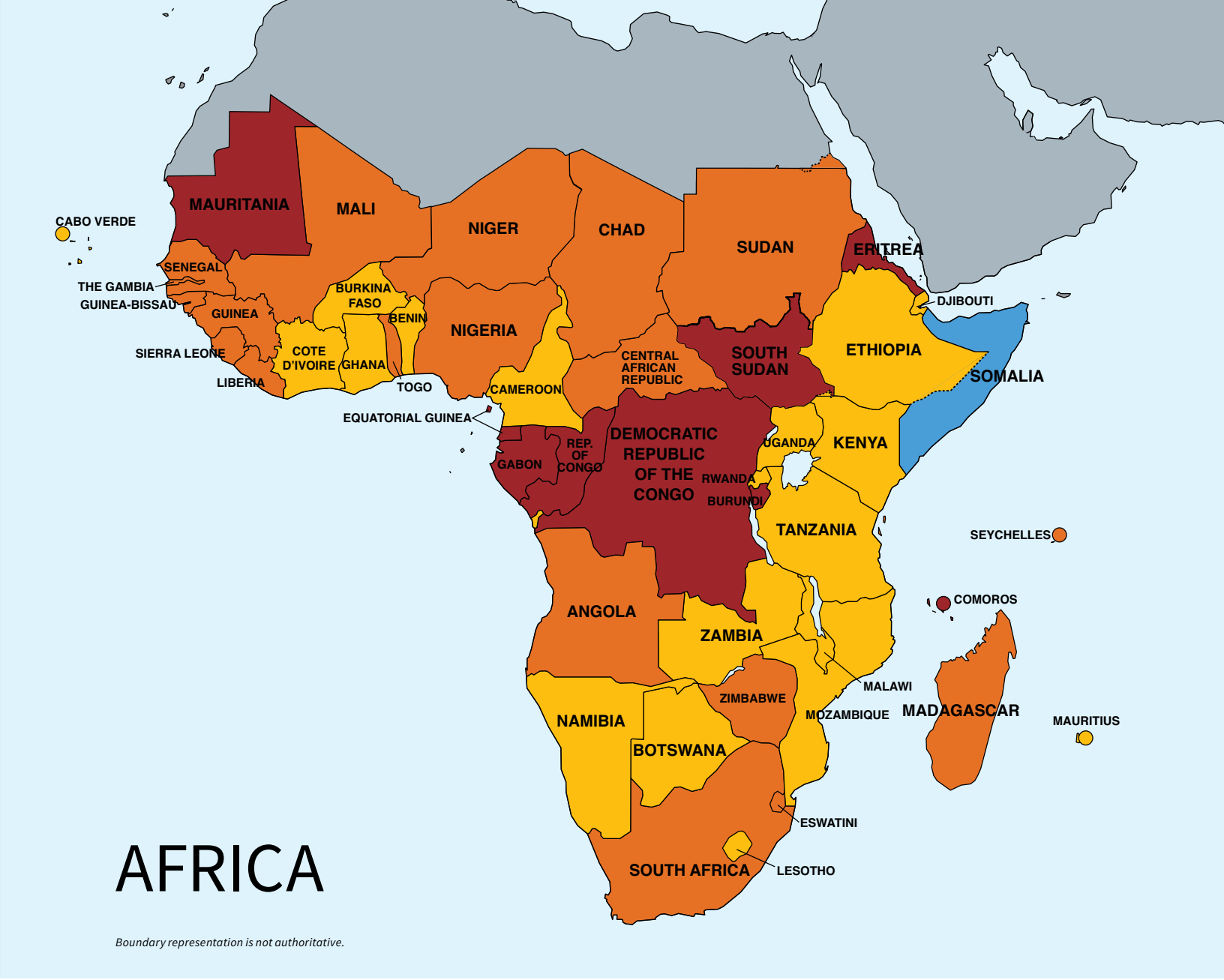
ALGERIA
ANGOLA
BANGLADESH
BHUTAN
BOSNIA & HERZEGOVINA
CENTRAL AFRICAN REPUBLIC
CHAD
CUBA
ESWATINI
FIJI
THE GAMBIA
GUATEMALA
GUINEA
GUINEA-BISSAU
HAITI
HONG KONG
HUNGARY
IRAQ
KUWAIT
KYRGYZ REPUBLIC
LIBERIA
MACAU
MADAGASCAR
MALAYSIA
MALDIVES
MALI
MONGOLIA
MONTENEGRO
NICARAGUA
NIGER
NIGERIA
SAUDI ARABIA
SENEGAL
SEYCHELLES
SIERRA LEONE
SOUTH AFRICA
SUDAN
SURINAME
TAJIKISTAN
TOGO
UZBEKISTAN
ZIMBABWE

TIER 3

BELARUS
BELIZE
BOLIVIA
BURMA
BURUNDI
CHINA (PRC)
COMOROS
CONGO, DEMOCRATIC REP. OF
CONGO, REPUBLIC OF
EQUATORIAL GUINEA
ERITREA
GABON
IRAN
KOREA, NORTH
LAOS
MAURITANIA
PAPUA NEW GUINEA
RUSSIA
SOUTH SUDAN
SYRIA
TURKMENISTAN
VENEZUELA

SPECIAL CASE

LIBYA
ST. MAARTEN
SOMALIA
YEMEN

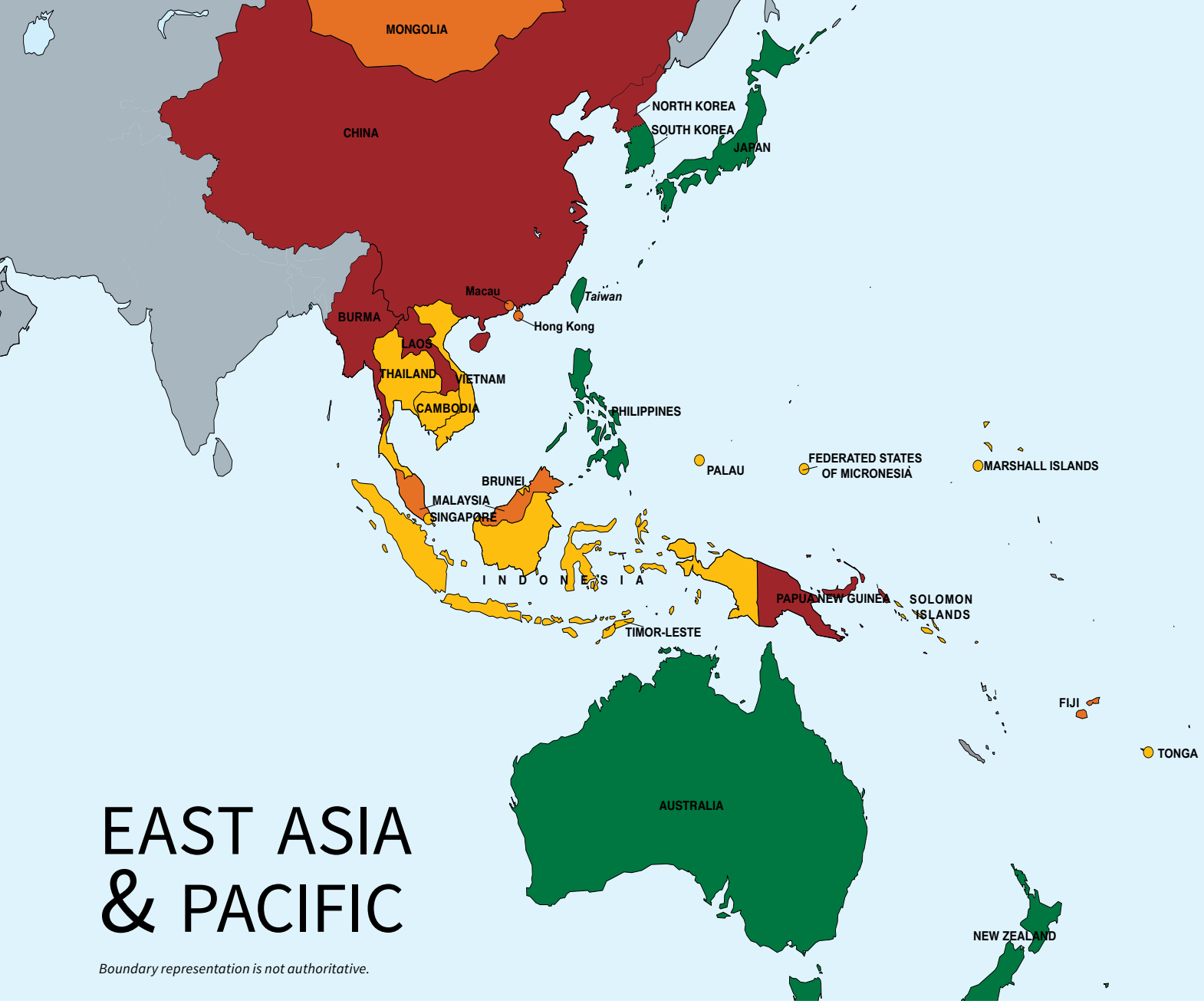


TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3 | SPECIAL CASE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	340 (45)	217 (113)	8,900 (5,098)	2
2012	493 (273)	252 (177)	10,043 (6,544)	4
2013	572 (245)	341 (192)	10,096 (2,250)	7
2014	811 (49)	317 (33)	9,523 (1,308)	4
2015	1,517 (53)	719 (8)	12,125 (3,531)	6
2016	1,293 (54)	1,120 (21)	18,296 (13,205)	4
2017	1,733 (98)	454 (34)	24,138 (5,902)	2

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



EAST ASIA & PACIFIC

Boundary representation is not authoritative.

TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	2,127 (55)	978 (55)	8,454 (3,140)	4
2012	1,682 (115)	1,251 (103)	8,521 (1,804)	4
2013	2,460 (188)	1,271 (39)	7,886 (1,077)	3
2014	1,938 (88)	969 (16)	6,349 (1,084)	3
2015	3,414 (193)	1,730 (130)	13,990 (3,533)	10
2016	2,137 (51)	1,953 (31)	9,989 (310)	7
2017	2,949 (77)	3,198 (72)	10,819 (669)	0

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

* Islands in the Caribbean Sea—although part of the Kingdom of the Netherlands, Aruba, Curaçao and St. Maarten are covered by the State Department's Bureau of Western Hemisphere Affairs.

TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3 | SPECIAL CASE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	3,188 (298)	1,601 (81)	10,185 (1,796)	2
2012	3,161 (361)	1,818 (112)	11,905 (2,306)	3
2013	3,223 (275)	2,684 (127)	10,374 (1,863)	35
2014	4,199 (197)	1,585 (69)	11,910 (3,531)	5
2015	4,990 (272)	1,692 (245)	11,112 (3,733)	8
2016	2,703 (201)	1,673 (40)	13,349 (3,192)	3
2017	2,548 (179)	1,257 (53)	12,750 (3,330)	0

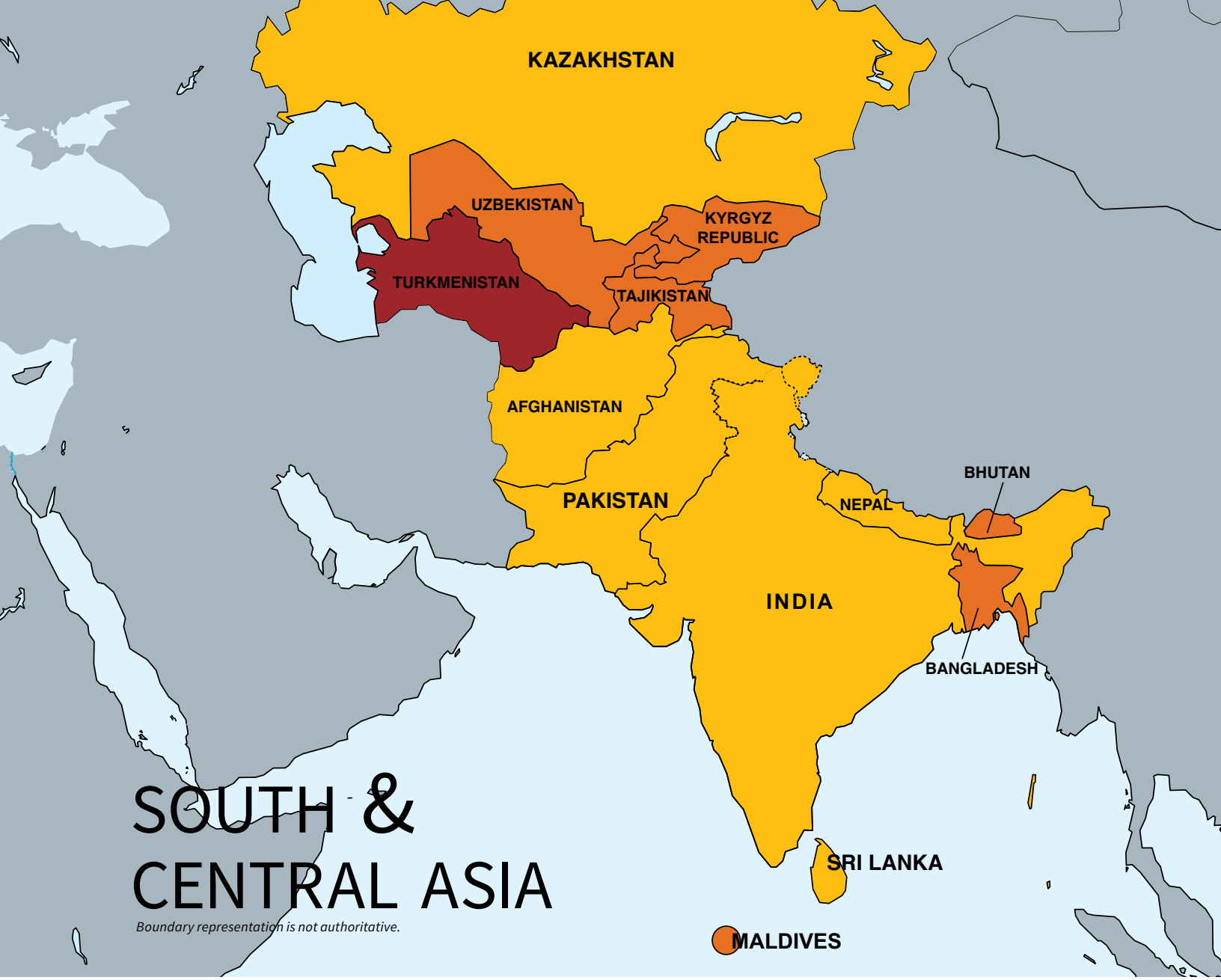
The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3 | SPECIAL CASE

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	209 (17)	60 (5)	1,831 (1,132)	2
2012	249 (29)	149 (15)	4,047 (1,063)	1
2013	119 (25)	60 (4)	1,460 (172)	4
2014	320 (5)	144 (25)	3,388 (2,460)	0
2015	480 (31)	343 (31)	6,068 (156)	0
2016	996 (591)	1,187 (582)	3,292 (185)	4
2017	974 (112)	104 (11)	1,834 (53)	0

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



SOUTH & CENTRAL ASIA

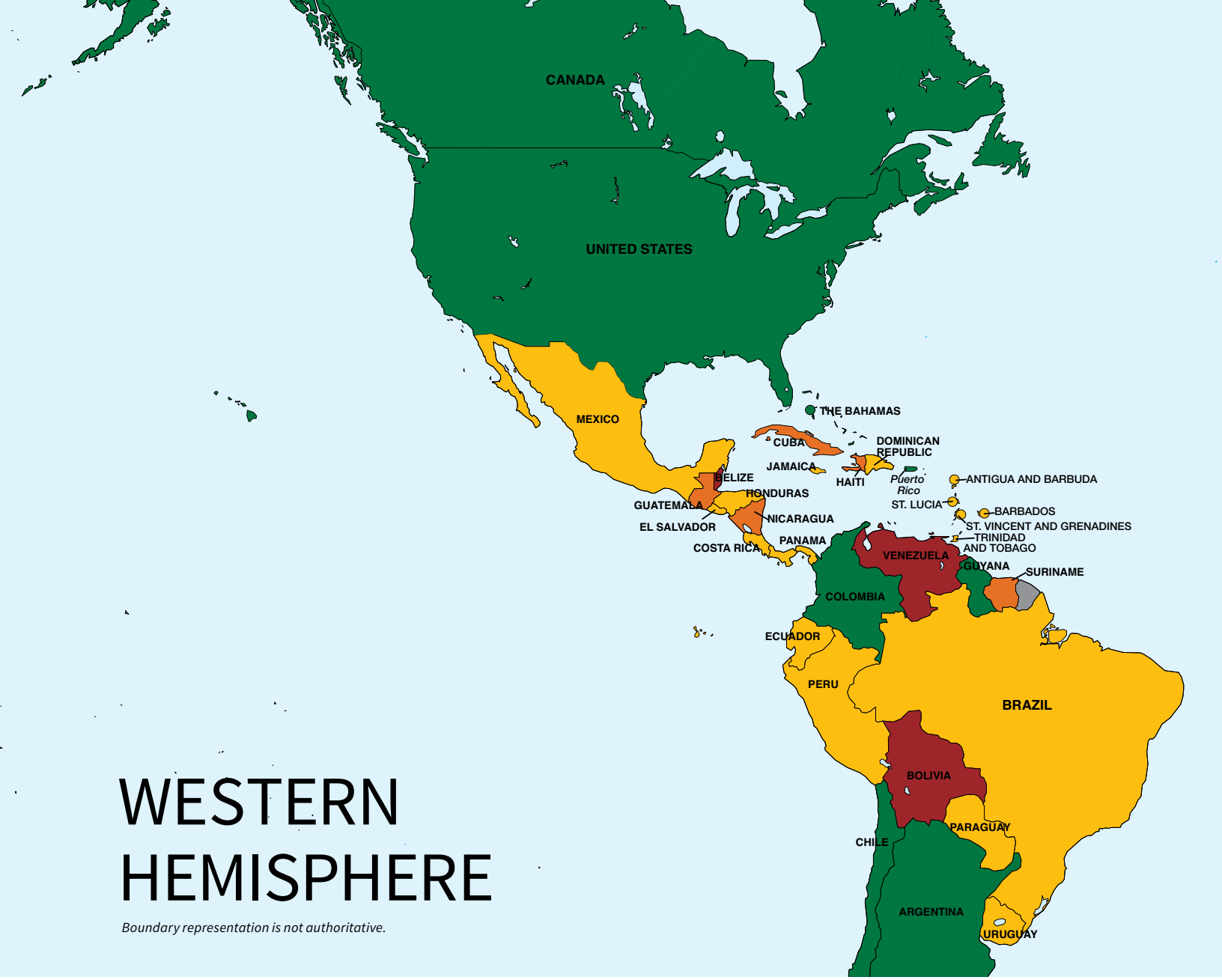
Boundary representation is not authoritative.

TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	974 (24)	829 (11)	3,907 (1,089)	2
2012	1,043 (6)	874 (4)	4,415 (2,150)	1
2013	1,904 (259)	974 (58)	7,124 (1,290)	5
2014	1,839 (12)	958 (10)	4,878 (1,041)	3
2015	6,930 (225)	1,468 (16)	24,867 (1,191)	0
2016	6,297 (72)	2,193 (19)	14,706 (464)	5
2017	8,105 (264)	1,063 (48)	40,857 (11,813)	2

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.



WESTERN HEMISPHERE

Boundary representation is not authoritative.

TIER PLACEMENTS

TIER 1 | TIER 2 | TIER 2 WATCH LIST | TIER 3

YEAR	PROSECUTIONS	CONVICTIONS	VICTIMS IDENTIFIED	NEW OR AMENDED LEGISLATION
2011	624 (17)	279 (14)	9,014 (2,490)	3
2012	1,077 (369)	402 (107)	7,639 (3,501)	8
2013	1,182 (207)	446 (50)	7,818 (3,951)	4
2014	944 (67)	470 (63)	8,414 (2,014)	5
2015	1,796 (83)	663 (26)	9,661 (2,118)	6
2016	1,513 (69)	946 (24)	8,821 (109)	2
2017	1,571 (139)	969 (114)	10,011 (2,139)	1

The above statistics are estimates derived from data provided by foreign governments and other sources and reviewed by the Department of State. Aggregate data fluctuates from one year to the next due to the hidden nature of trafficking crimes, dynamic global events, shifts in government efforts, and a lack of uniformity in national reporting structures. The numbers in parentheses are those of labor trafficking prosecutions, convictions, and victims identified.

Protestors attend a demonstration outside the Libyan embassy in Paris after videos of slave markets in Libya surface. Community awareness and activism is essential in the effort to combat human trafficking.

HOW TO READ A COUNTRY NARRATIVE

This page shows a sample country narrative. The tier ranking justification for each country in this year's Report appears in the first paragraph of each country narrative and includes language that explicitly highlights the factors supporting a given tier ranking. The Prosecution, Protection, and Prevention sections of each country narrative describe how a government has or has not addressed the relevant TVPA minimum standards (see page 44), during the reporting period. This truncated narrative gives a few examples.

The country's tier ranking is based on the government's efforts to combat trafficking as measured against the TVPA minimum standards and compared to its efforts in the preceding year.

TVPA Minimum Standard 4(11) – whether the government shows evidence of overall increasing efforts.

COUNTRY X: TIER 2 WATCH LIST

Synopsis of key developments that support the country's tier ranking.

The Government of X does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by undertaking awareness raising efforts and reaffirming its commitment to enact anti-trafficking legislation. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not show evidence of overall progress in prosecuting and punishing trafficking offenders and identifying victims of trafficking. Therefore X remained on Tier 2 Watch List for the second consecutive year.

Prioritized recommendations for how the government can better meet the TVPA minimum standards.

RECOMMENDATIONS FOR COUNTRY X:
Enact the draft comprehensive anti-trafficking le... significantly increase efforts to investigate and prosecu... convict and punish trafficking offender... apply formal procedures to identify ... vulnerable groups, such as those arre... or prostitution: and collect, disaggre... counter-trafficking law enforcement d...

TVPA Minimum Standards 1-3 – whether the government prohibits all forms of trafficking and prescribes adequate criminal punishments.

Summary of the government's anti-trafficking laws and law enforcement efforts.

PROSECUTION
The Government of Country X decreased efforts to investigate and prosecute trafficking offenses during the reporting period. Country X does not prohibit all forms of trafficking, but it criminalizes slavery under Section 321 and forced labor under Section 322 of its criminal law. The prescribed penalty for forced labor—up to six months' imprisonment—is not sufficiently stringent. Article 297 prohibits forced or coerced prostitution, and the prostitution of a child below age 15 even if there was no compulsion or redress; the prescribed penalty is up to 15 years' imprisonment, which is commensurate with penalties prescribed for other serious crimes, such as rape. Draft revisions to the penal code have not yet been enacted. An unconfirmed report indicates that four traffickers were charged with fraudulently issuing visas to workers who they then exploited. Two were reportedly deported, and two were reportedly convicted. The government did not confirm nor deny the existence of this case. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

TVPA Minimum Standard 4(1) – whether the government vigorously investigates and prosecutes trafficking offenses; convicts and punishes trafficking offenders; and provides data on these actions.

Summary of the government's efforts to ensure trafficking victims are identified and provided adequate protection.

PROTECTION
Country X maintained minimal efforts to protect victims of trafficking during the reporting period. Although health care facilities reportedly refer suspected abuse cases to the government anti-trafficking shelter for investigation, the government continues to lack a systematic procedure for law enforcement to identify victims of trafficking among vulnerable populations, such as foreign workers awaiting deportation and women arrested for prostitution; as a result, victims may be punished and automatically deported without being identified as victims or offered protection. The government reported that the Ministry of the Interior has a process by which it refers victims to the trafficking shelter; however, this process is underutilized in practice. The trafficking shelter assisted 24 individuals during the reporting period and provided them with a wide range of services, including full medical treatment and legal and job assistance.

TVPA Minimum Standard 4(2) – whether the government adequately protects victims of trafficking by identifying them and ensuring they have access to necessary services.

TVPA Minimum Standard 4(2) – whether the government ensures victims are not penalized for unlawful acts committed as a direct result of being trafficked and encourages victim participation in investigations and prosecutions, including by providing legal alternatives to their removal from the country.

Country X commonly fines and detains potential trafficking victim... for unlawful acts committed as a direct result of being subjected t... trafficking, such as immigration violations and running away from... their sponsors, without determining whether the individuals are... victims of trafficking.

Country X sometimes offers temporary relief from deportation so that victims can testify as witnesses against their employers. However, victims were generally not permitted to leave the country if there is a pending case. The government did not routinely encourage victims to assist in trafficking investigations or consistently offer victims alternatives to removal to countries where they may face retribution or hardship.

TVPA Minimum Standard 4(3) – whether the government is making adequate efforts to prevent human trafficking, including measures to ensure its diplomats or peacekeepers assigned abroad do not engage in trafficking.

PREVENTION
Country X increased efforts to prevent trafficking in persons dur... the reporting period. While the government made no apparent eff... to amend provisions of Country X's sponsorship law to help preven... the forced labor of migrant workers, the government did start t... enforce other parts of the law to the benefit of migrant workers. One provision in the sponsorship law continues to require foreign workers to request exit permits from their sponsors in order to leave Country X. Although this may increase migrant workers' vulnerability to forced labor, the law created a new process through which a laborer who was not granted an exit permit due to a sponsor's refusal or other circumstances can seek one by other means. The Ministry of Labor sponsored media campaigns and organized informational workshops for officials, NGOs, and labor recruitment agencies. However, the government did not provide anti-trafficking training or guidance to its diplomatic personnel during the reporting period. The government has a national plan of action to address trafficking in persons, but did not publicly disseminate the plan or take steps to implement it during the reporting period. The government did not take any public awareness campaigns aimed at reducing the demand for commercial sex acts in Country X, but it government convicted two of its nationals for soliciting children for sex in other countries and sentenced them to 10 years' imprisonment.

Summary of the government's efforts to prevent human trafficking.

TVPA Minimum Standard 4(12) – whether the government has made efforts to reduce the demand for commercial sex acts, and, if applicable, participation in international sex tourism by its nationals.

TRAFFICKING PROFILE
As reported over the past five years, Country X is a transit and destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from South and Southeast Asia, East Africa, and the Middle East volun... X as laborers and domestic servants, but so... ns indicative of involuntary servitude. ... of serious harm, including threats ... withholding of pay; restrictions ... the confiscation of passports ..., mental, and sexual abuse. In ... kers have found that the terms ... wholly different from those they agr... es. Individuals employed as domestic servants ... nerable to trafficking since they are not covered under the provisions of the labor law. A small number of foreign workers transit Country X and are forced to work on farms in Country Y. Country X is also a destination for women who migrate and become involved in prostitution, but the extent to which these women are subjected to forced prostitution is unknown.

TVPA Minimum Standard 4(7) – whether the government has made adequate efforts to address the involvement in or facilitation of human trafficking by government employees.

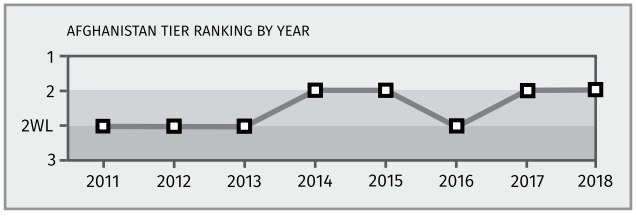
Overview of human trafficking in the country and factors affecting vulnerability to trafficking of the country's nationals abroad.

COUNTRY NARRATIVES

Workers on a building construction site in China. Internal migrant populations, especially from rural to urban areas, are vulnerable to exploitation in various industries including construction.

AFGHANISTAN: TIER 2

The Government of Afghanistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Afghanistan remained on Tier 2. The government demonstrated increasing efforts by enacting a revised penal code that raised the penalties for human trafficking crimes and criminalized additional activities relating to *bacha bazi*, a practice in which men exploit boys for social and sexual entertainment. The government identified more trafficking victims and partnered with an international organization to draft and finalize a training manual for combating trafficking, including procedures on victim identification and referral. The government enacted a policy for the Afghan National Army that prohibited child recruitment and established procedures for the demobilization and care of children involved in armed conflict. The government also opened an additional child protection unit to prevent the recruitment of children into the security forces and proactively prevented the recruitment of 79 children from April through June 2017. However, the government did not meet the minimum standards in several key areas. Despite credible allegations of official complicity, especially in the sexual exploitation, unlawful recruitment, and use of children by Afghan security forces, the government did not report any newly initiated prosecutions or convictions of officials complicit in human trafficking. District and provincial-level officials continued to conflate trafficking and smuggling, and many officials were unable to identify trafficking victims, which resulted in the government's arrest and prosecution of some trafficking victims as criminals. Victim protection efforts were overall insufficient, as the government did not employ standard victim identification protocols during the reporting period, and the one government-owned short-term trafficking shelter closed when donor funding was not renewed.



RECOMMENDATIONS FOR AFGHANISTAN

Cease the unlawful recruitment and use of children by Afghan security forces and demobilize children from state and non-state groups with adequate victim protection and reintegration support; while respecting due process, increase investigations and prosecutions, including of law enforcement and members of the military suspected of being complicit in trafficking such as *bacha bazi*, and convict and appropriately sentence the perpetrators; cease the penalization of victims for offenses committed as a direct result of being subjected to trafficking, including stopping prosecutions for moral crimes and the placement of child trafficking victims in juvenile detention centers; formally adopt and disseminate standard operating procedures for victim identification and referral to rehabilitation services and train officials on their use; amend Chapter 5 of the penal code to increase the penalties for *bacha bazi* in line with penalties prescribed for other forms of trafficking; strengthen the capacity of the Ministry of Interior (MOI)'s anti-trafficking/smuggling units, including increasing the number of staff in each region and ensuring their ability to differentiate between smuggling and trafficking; continue to increase the capacity of the High Commission for Combating Crimes of Abduction and Human Trafficking/Smuggling (high commission) to coordinate and report on the government's anti-trafficking efforts; continue to educate officials at national, provincial, and local levels on the definition of human trafficking, as well as identification, protection, and law enforcement strategies; improve efforts to collect, analyze, and accurately report counter-trafficking data; dedicate resources to support long-term victim rehabilitation programs; and proactively inform government officials, especially at the MOI and Ministry of Defense (MOD), of the law prohibiting the recruitment and enlistment of minors, and enforce these provisions with criminal prosecutions.

PROSECUTION

The government increased its overall law enforcement efforts but did not report any efforts to prosecute or convict allegedly complicit officials, and overall trafficking investigations, prosecutions, and convictions remained low for the scale of the problem. The 2017 Law to Combat Crimes of Trafficking in Persons and Smuggling of Migrants criminalized sex and labor trafficking, including *bacha bazi*, a practice in which men exploit boys for social and sexual entertainment. The law prescribed penalties between five and eight years imprisonment; aggravating factors increased the maximum sentence to between 10 and 15 years and the imposition of the death penalty if exploitation for armed fighting resulted in the victim's death. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. The government enacted a new penal code, which took effect in February 2018 and replaced elements of the 2017 law. Article 510 of the new criminal code criminalized sex and labor trafficking, including *bacha bazi*. Article 511 increased the penalties for trafficking offenses by prescribing penalties of five to 10 years imprisonment for trafficking offenses involving adult male victims, and 10 to 16 years imprisonment if the victim was a woman or child, or exploited in *bacha bazi*. Article 512 outlined aggravating factors and increased penalties to 16 to 20 years imprisonment for sex trafficking or forced armed fighting and between 20 to 30 years if the victim forced to fight died while subjected to trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The new penal code also created a separate chapter to criminalize *bacha bazi* crimes specifically. Although this chapter explicitly criminalized more trafficking offenses relating to the crime of *bacha bazi*, it also prescribed lower penalties for certain acts constituting *bacha bazi* than those prescribed under Article 510. Most of these penalties were not sufficiently stringent, nor commensurate with the penalties prescribed for other serious crimes, such as rape. The government also used the 2009 Law on the Elimination of Violence Against Women to prosecute and convict sex traffickers.

During the reporting period, the government reported the investigation of 132 alleged traffickers and the prosecution of 73, including five for attempted human trafficking, an increase compared with the investigation of 103 alleged traffickers and the prosecution of 63 in the previous reporting period. The government reported primary courts convicted 33 traffickers, including four for attempted human trafficking, during the reporting period—the same number of persons convicted in the previous reporting period. Of the 29 convictions for human trafficking, sentences ranged from six months to 21 years imprisonment; 28 required imprisonment of one year or

more, and one sentence resulted in inadequate penalties of six months imprisonment. Of the four convictions for attempted human trafficking, sentences ranged from one year and one month to eight years imprisonment. The government did not report the details of cases, so its response to forced and bonded labor or *bacha bazi* is unknown.

Law enforcement and judicial officials continued to have a limited understanding of trafficking. Dari, the language spoken most widely in Afghanistan, historically used the same word for both human trafficking and migrant smuggling, compounding the confusion. Authorities attempted to address this issue by including separate terms and definitions for trafficking and smuggling in the 2017 law; however, training required to ensure officials understood the new terminology was limited, especially at the local and provincial levels. MOI continued to operate trafficking and smuggling units in each of the 34 provinces and in Kabul, with 16 officers in Kabul and two officers in each province. Officials acknowledged the number of personnel and access to resources and training was insufficient. NGOs and international organizations, with in-kind assistance from the government for venues, conducted 656 capacity-building workshops in 2017 for over 20,000 members of the public, government officials, and civil society members, including religious leaders and lawyers. At the end of the reporting period, the high commission, with technical and financial support from an international organization, finalized a training manual to train Afghan law enforcement agencies including border police, immigration officials, members of the National Directorate of Security (NDS), NGOs specializing in counter trafficking, shelter managers, and community leaders.

Official complicity in trafficking remained a serious and pervasive problem. Some government and security officials reportedly engaged in the practice of *bacha bazi*. Military authorities initiated internal investigations into some of these incidents, but there were no reports that these cases—or any other cases of government officials allegedly complicit in human trafficking—culminated in newly initiated criminal prosecutions, convictions, or the imposition of penalties during the reporting period. The Afghanistan Independent Human Rights Commission's 2014 report assessed that most who engage in *bacha bazi* paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that effectively exempted them from prosecution. In February 2017, a district chief of police and six members of the security forces were arrested for allegedly participating in a *bacha bazi* gathering; the district chief of police was fired from his position during the previous reporting period and was still awaiting trial at the end of the 2018 reporting period. The government did not report what action, if any, was taken against the security forces. The UN verified the continued use of children in combat and non-combat roles by the government during the reporting period, including at least seven cases of recruitment by the Afghan National Police, seven by the Afghan Local Police (ALP), and one by the NDS. One of the verified cases of ALP use of children involved two boys exploited in *bacha bazi*. There were reports that pro-government militias, who may have received direct financial support from the Afghan government, employed children in non-combat roles. Observers reported some officials accepted bribes to produce identity documents for boys stating their age was above 18 years old.

PROTECTION

The government increased efforts to identify victims. The government did not compile comprehensive victim identification, referral, and assistance statistics; however, the high commission reported identifying 476 potential trafficking victims in 2017 compared with 23 victims identified by the government and 93 victims identified by NGOs in 2016. The government attributed the increase in identified victims to rising insecurity and poverty and stated the majority of those identified were teenagers who had been deceived into believing they would be transported to Europe for work; the government did not provide sufficient information on these cases to differentiate among trafficking, smuggling, and other related crimes. The government did not use systematic identification procedures for victims during the reporting period. The government noted district and provincial-level officials continued to conflate trafficking and smuggling and many officials were unable to confidently identify trafficking victims.

In partnership with an international organization, the high commission developed a training manual for government officials and civil society that included indicators of human trafficking and standard operating procedures for the identification and referral of victims to rehabilitation services. The high commission and the international organization finalized the manual at the end of the reporting period and, thus, had not yet initiated its rollout or implementation. Police lacked formal guidelines and funding to provide basic care (including water and food) to victims during investigations. In some instances, police officers paid out-of-pocket for basic victim care. The Ministry of Labor, Social Affairs, Martyrs and Disabled (MOLSAMD) provided registration, referral, and social services for trafficking victims, including those repatriated to Afghanistan from other countries; however, it did not provide data on such efforts. NGOs operated 29 women's protection shelters in 21 provinces that provided protection, legal, and social services to female victims of violence, which were available to trafficking victims. The Ministry of Women's Affairs monitored and regulated all women's protective shelters through site visits to ensure compliance with women's centers' regulations and guidelines and hosted national and provincial coordination committees to discuss the findings of visits and to address challenges. Family guidance centers in 19 provinces provided non-residential legal and social services for women and children, including trafficking victims. The Child Protection Action Network (CPAN), a conglomerate of NGOs, civil society, and government entities overseen by MOLSAMD, provided shelter and some protection services to child victims in 110 districts. NGOs operated two shelters for victims of labor and sex trafficking in Kabul, including one specifically dedicated to serving boys under age 18. At times, the government placed child victims in orphanages, although some children in orphanages were subjected to trafficking. The international organization-run, government-owned, short-term trafficking shelter in Kabul closed during the reporting period when donor funding was not renewed. There continued to be no shelters for adult male victims. The government did not encourage victims to participate in investigations; it did not provide adequate support, security, or protective services for victims to safely do so without risk of re-traumatization. Afghan law allows foreign victims to remain temporarily in Afghanistan for at least six months. In 2017, there were no reports of foreign victims identified in Afghanistan.

Authorities sometimes treated victims, including children, as criminals simply for being unchaperoned or for having committed moral crimes; officials continued to arrest, imprison, or otherwise punish victims for prostitution or sex outside of marriage, without regard to whether they had been subjected to forced prostitution, or for escaping from husbands who forced

them into prostitution. Authorities sometimes prosecuted victims for possessing forged identity documents. Article 518 of the new penal code provided that a trafficking victim shall not be prosecuted for crimes committed while being subjected to trafficking or for the possession or use of fraudulent travel documents. Officials sometimes placed male and female victims in prison if they could not be accommodated in shelters. NGOs reported some child trafficking victims were housed in juvenile detention centers, sometimes for several years. Male sex trafficking victims, including those subjected to *bacha bazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges. During the reporting period, four victims of *bacha bazi* who had been previously arrested were released without charges. The government did not demobilize child soldiers associated with governmental or nongovernmental armed groups or provide or refer such children for reintegration support.

PREVENTION

The government increased its trafficking prevention efforts. In August 2017, the high commission became an autonomous government office under the Ministry of Justice; most of the office's staff worked on trafficking among other human rights issues. The broader high commission of 12 ministries and offices met three times in 2017, although not all ministries attended the meetings. A working-level technical committee held eight meetings in 2017 and partnered directly with international organizations and NGOs to implement the commission's policies. Provincial anti-trafficking commissions in 33 provinces coordinated activities to implement policy established by the high commission; however, the high commission reported only 16 were active during the reporting year. The government continued to implement its national action plan scheduled to end in April 2018. The high commission, in partnership with an international organization, drafted its first national report to comprehensively review trends, laws, and societal views on human trafficking; the technical committee supported the research but was unable to compel other ministries to capture and share statistics on trafficking. The high commission, in partnership with international organizations and NGOs, increased its public awareness programs from 22 during the previous reporting period to 210 in 2017, reaching approximately 16,500 members of the public. The government also continued to encourage mullahs to raise awareness through their weekly sermons.

In December 2017, the MOD enacted the Protection of Children in Armed Conflict Policy for the Afghan National Army, which defined the rights of children, prohibited child recruitment, and established procedures for monitoring and enforcement, reporting violations, and rescuing and caring for children involved in armed conflict. In September 2017, MOI opened a child protection unit (CPU), bringing the total to 22 CPUs throughout the country to prevent the recruitment of children into the security forces. According to an international organization, the CPUs prevented the recruitment of 79 children from April through June 2017. The government continued to develop plans for its long-delayed electronic national identification card. The government utilized a policy and action plan for the reintegration of Afghan returnees and internally displaced persons in partnership with the UN; however, the government's ability to assist vulnerable persons, including over 600,000 documented and undocumented returnees from Pakistan and Iran in 2017, remained limited, and it continued to rely on the international community for assistance. The government did not take steps to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Afghanistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking. Men, women, and children are exploited in bonded labor in Afghanistan, where an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for multiple generations. There are entire Afghan families trapped in debt bondage in the brick-making industry in eastern Afghanistan. Most Afghan trafficking victims are children exploited in carpet making and brick factories, domestic servitude, commercial sex, begging, poppy cultivation, salt mining, transnational drug smuggling, and assistant truck driving within Afghanistan. Some Afghan families knowingly sell their children into sex trafficking, including for *bacha bazi*, including some government officials and security forces. There are reports that some law enforcement officials, prosecutors, and judges accept bribes from or use their relationships with perpetrators of *bacha bazi* to allow them to escape punishment. Opium-farming families sometimes sell their children to settle debts with opium traffickers. Children in orphanages overseen by the government, but run by NGOs, were sometimes subjected to trafficking. Members of the Shia Hazara minority group were victims of forced labor. Afghan returnees from Pakistan and Iran and internally displaced Afghans are vulnerable to exploitation in sex trafficking and forced and bonded labor.

Men, women, and children in Afghanistan often pay intermediaries to assist them in finding employment, primarily in Iran, Pakistan, India, Europe, or North America; some of these intermediaries force Afghans into labor or prostitution. Afghan women and girls are subjected to sex trafficking and domestic servitude primarily in Pakistan, Iran, and India, including through forced marriages in Iran and Pakistan. Afghan boys and men are subjected to forced labor and debt bondage in agriculture and construction, primarily in Iran, Pakistan, Greece, Turkey, and the Gulf states. Boys, especially those traveling unaccompanied, are particularly vulnerable to trafficking. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country. Reportedly, the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerce male Afghan migrants, including boys as young as 12, to fight in Syria in IRGC-organized and commanded militias, by threatening them with arrest and deportation to Afghanistan.

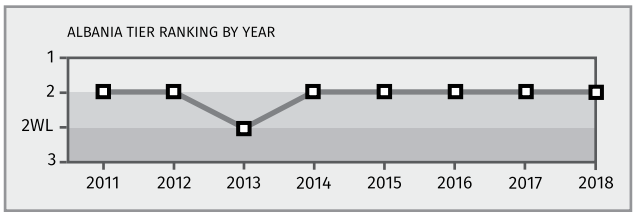
The government and armed non-state groups in Afghanistan unlawfully recruit and use children in combat and non-combat roles. Armed non-state groups, mostly the Taliban, but also including other non-state groups like the Islamic State in Khorasan Province (ISIS-K), account for most child recruitment and use. Insurgent groups forcibly recruit and use children as suicide bombers. The Taliban indoctrinate children using religious and military education and teach children to use small arms and deploy improvised explosive devices. Some families receive cash payments or protection in exchange for sending their children to the Taliban-run schools. Children from impoverished and rural areas, particularly those under Taliban control, are especially vulnerable to recruitment. The Afghan Local and National Police and government-supported armed groups use children in combat and non-combat roles, including as personal servants, support staff, and body guards. The Afghan National Army, NDS, and Afghan Border Police also recruit children, although to a lesser extent. There were reports that some members of the Afghan security forces and

other groups of non-state actors sexually abuse and exploit young girls and boys.

There were reports of women and girls from the Philippines, Pakistan, Iran, Tajikistan, Sri Lanka, and China subjected to sex trafficking in Afghanistan. Under the pretense of high-paying employment opportunities, some labor recruiting agencies lure foreign workers to Afghanistan, including from Sri Lanka, Nepal, India, Iran, Pakistan, and Tajikistan; the recruiters subject these migrants to forced labor after arrival.

ALBANIA: TIER 2

The Government of Albania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Albania remained on Tier 2. The government increased funding for victim protection, and identified and assisted more victims. The government, in cooperation with NGOs, reactivated mobile identification units in three regions and strengthened child protection within the criminal justice system. The government also admitted one victim into the witness protection program. However, the government did not meet minimum standards in several key areas. The government continued to penalize victims for unlawful acts committed as a direct result of being subjected to human trafficking. The government reported fewer prosecutions and convictions, and authorities continued to investigate and prosecute some traffickers for the lesser crime of exploitation of prostitution. The government delayed funding to NGO-run shelters and did not consistently apply victim-centered investigations and prosecutions. Police did not consistently identify trafficking victims among individuals in prostitution, and the labor inspectorate lacked the training to identify victims of forced labor. Identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging.



RECOMMENDATIONS FOR ALBANIA

Implement the law that exempts victims from penalties for unlawful acts committed as a direct result of being subjected to trafficking, particularly sex trafficking victims exploited in prostitution; vigorously investigate, prosecute, and convict traffickers—including complicit officials—under article 110(a) and 128(b); train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases and increase victim protection from threats and intimidation during court proceedings; continue to train law enforcement, prosecutors, and judicial officials, particularly district prosecutors, on investigating, prosecuting, and trying trafficking cases, including guidance on overlapping elements of exploitation of prostitution and trafficking; allocate adequate funding and resources on a consistent and regular basis to the government-run and NGO-run shelters for trafficking victims; improve the sustainability of mobile identification units; train police, labor inspectors, and other front-line officials on proactive identification of victims and increase efforts to screen children for signs of trafficking; and adopt a national action plan and allocate sufficient resources to the plan.

PROSECUTION

The government decreased law enforcement efforts. Articles 110(a) and 128(b) of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment and a fine between two million lek ($18,080) and five million lek ($45,210), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The state police investigated 69 cases with 80 suspects (69 cases with 69 suspects in 2016); 22 of these suspects in 2017 were investigated for child trafficking (22 in 2016) and 58 for adult trafficking (47 in 2016). The Serious Crimes Prosecutor's Office (SCPO) prosecuted five defendants (18 in 2016); two of these suspects were prosecuted for child trafficking (nine in 2016) and three for adult trafficking (nine in 2016). Courts convicted seven traffickers (24 in 2016); one trafficker was convicted for child trafficking (11 in 2016) and six for adult trafficking (13 in 2016). All convicted traffickers received prison sentences, which ranged between eight years and eight months to 17 years.

Authorities continued to investigate and prosecute some traffickers for the lesser crime of exploitation of prostitution. Authorities reported the confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time, or due to the false belief that trafficking crimes required a transnational element. The government enacted judicial reforms that will eventually change court jurisdiction for trafficking cases; cases not related to organized crime will soon fall from the Serious Crimes Court to district courts, but authorities reported district prosecutors did not have the experience and capacity to adequately prosecute trafficking cases. The government operated a closed case task force to review successful and unsuccessful trafficking cases; so far the task force has only reviewed two cases. Observers reported limited resources and constant turnover within law enforcement created obstacles in maintaining capacity to investigate trafficking. The government, at times in cooperation with civil society, trained 20 police officers; 100 employees of local law enforcement; 40 border police officers; and 127 judges, prosecutors, and judicial police officers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, official complicity and corruption were significant concerns. The government signed extradition agreements with the United Kingdom and Northern Ireland and conducted joint investigations with Italian and Spanish law enforcement.

PROTECTION

The government maintained victim protection efforts. The government and NGOs identified 105 potential trafficking victims (95 in 2016). Of these, 49 were adults and 56 were children (51 adults and 44 children in 2016), 80 were female and 25 were male (84 females and 11 males in 2016), and nine were foreigners (eight in 2016). Seventy-nine were identified as potential victims and 26 officially identified as victims (62 potential victims and 33 officially identified victims in 2016). A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The government, with the

support of NGOs, reactivated mobile identification units in three regions, but the unit's sustainability was uncertain due to a lack of permanent staff, formalization, and resources; mobile identification units identified 26 potential victims. Additionally, the government referred 60 potential victims, civil society referred 16, and three self-identified. Observers reported police did not consistently identify trafficking victims among individuals in prostitution and the labor inspectorate lacked the training to identify victims of forced labor. Similarly, identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging. First responders referred potential trafficking victims to law enforcement and state social services who conducted a joint interview and provided official victim status. The law provided equal services for both potential victims and officially recognized victims.

The government operated one specialized shelter and supported three specialized NGO-run shelters. The government provided 20.2 million lek ($182,640) to NGO-run shelters to support 29 staff salaries, compared to 15.3 million lek ($138,340) to support 24 staff salaries in 2016. The government used 4.7 million lek ($42,500) in 2016 and 2017 from the special fund of seized criminal assets to support services. The government provided 5.5 million lek ($49,730) for food support to NGO-run shelters, compared to 1.8 million lek ($16,280) in 2016. However, the government reorganized the Ministry of Social Welfare and Youth and State Social Services into the new Ministry of Health and Social Care, which contributed to delays in funding, including funding for staff salaries and food support. NGO-run shelters operated under financial constraints and relied on outside sources for operating costs; government financial mechanisms intended to partially fund these shelters remained complicated. The four shelters comprised the National Coalition of Anti-trafficking Shelters (NCATS) and victims who required services not available in one shelter were referred to another shelter within the coalition. The NCATS provided assistance to trafficking victims, including food, counseling, legal assistance, medical care, educational services, employment services, assistance to victims' children, financial support, long-term accommodation, social activities, vocational training, and post-reintegration follow-up. The government provided free vocational training, textbooks for child victims, and health cards that provided free access to health care; however, the government offered limited reintegration support and did not provide funding for reintegration services. Experts reported first responders often referred individuals that were not trafficking victims to the government-run shelter, including individuals with mental health issues or victims of other crimes. NGO-run shelters supported 71 trafficking victims and potential victims (75 in 2016) and the state-run shelter supported 30 (30 in 2016). NGO-run shelters allowed adult victims to leave the shelter voluntarily, but the state-run shelter required victims to seek approval from the director of the shelter. One NGO-run shelter provided specialized services for child victims under the age of 18 and male victims were provided with rented apartments, where they received assistance from NGOs. Foreign victims had access to the same services as domestic victims and the law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years. The government granted residency to six foreign victims in 2017 (none in 2016). Observers reported professional staff and good quality of care at the shelters in the NCATS but reported low staff levels at the government-run shelter after staff were transferred to the domestic violence center and the facility required renovations.

The government penalized one victim for an unlawful act committed as a direct result of being subjected to trafficking; as in similar cases in past years, authorities convicted an officially identified trafficking victim for prostitution and sentenced her to eight months of probation. The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. SCPO possessed equipment that allowed testimony via video conferences and victims who testified against traffickers had access to the witness protection program; one trafficking victim participated in the program. The government adopted several laws strengthening child protection within the criminal justice system, such as the participation of a psychologist in criminal proceedings involving children. Twenty-three trafficking victims cooperated with law enforcement in investigations and prosecutions; however, the government did not consistently apply victim-centered investigations and prosecutions. Law enforcement did not consistently offer sufficient security and support, victims and their families received threats during court proceedings, and some victims appeared in front of their traffickers in court proceedings, causing re-traumatization. Victims could obtain restitution from the government or file civil suits against traffickers; no victim had ever received restitution. The law provided repatriation assistance to Albanians citizens identified abroad; four potential victims were repatriated from Germany, Kosovo, the Netherlands, and Norway (none in 2017).

PREVENTION

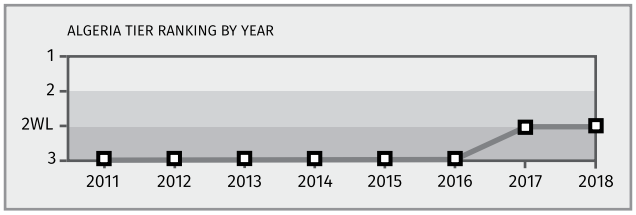
The government increased efforts to prevent trafficking. The government allocated 5.7 million lek ($51,540) to the Office of the National Anti-Trafficking Coordinator (ONAC) in 2016 and 2017. The national action plan expired in December 2017, but ONAC, in cooperation with an international organization, convened three meetings with stakeholders to begin developing a new plan. ONAC continued to publish regular activity reports on its website and held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. Twelve regional anti-trafficking committees (RATC) comprising local officials and NGOs worked on prevention and victim assistance. The prime minister issued an order to strengthen the RATCs by mandating the government agencies required to participate, including social services, law enforcement, labor inspectors, and health representatives. ONAC and national anti-trafficking coordinators from Montenegro and Kosovo signed a joint declaration ensuring the application of a unified SOP for victim protection and assisted voluntary repatriation. ONAC, in cooperation with civil society, conducted a month long awareness campaign and separate awareness campaigns targeting students and teachers. ONAC also conducted informative meetings with representatives from the Romani and Balkan Egyptian communities. The hotline received six calls that were trafficking-related and referred to law enforcement. The government did not make efforts to regulate or punish labor recruiters for illegal practices that increase migrants' vulnerability to exploitation abroad. Labor inspectors did not have authority to inspect informal work activities, including unregistered businesses. The government conducted awareness campaigns on sex tourism but did not take steps to reduce demand for forced labor. The government provided anti-trafficking guidance for its diplomatic personnel, and the national coordinator briefed Albanian diplomats stationed in nine cities on human trafficking regulations.

TRAFFICKING PROFILE

As reported over the past five years, Albania is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Albanian women and children are subject to sex trafficking and forced labor within the country, especially during tourist season. Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Traffickers increasingly use social media to recruit victims. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani community, are exploited regionally for seasonal work. There were also instances of children forced to work in cannabis fields in Albania and some traffickers are likely involved in drug trafficking. Albanian victims are subject to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, Belgium, Germany, Switzerland, Macedonia, Norway, the Netherlands, and the United Kingdom. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the United Kingdom. Foreign victims from European countries and the Philippines were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are employed as domestic workers by wealthy families where they are vulnerable to domestic servitude. Middle Eastern, Central Asian, and African migrants transit Albania to reach Western Europe and are vulnerable to trafficking.

ALGERIA: TIER 2 WATCH LIST

The Government of Algeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by its increased number of investigations and prosecutions of alleged traffickers under the anti-trafficking statute, the identification of 33 victims, and increased training for judicial practitioners. The government also established and dedicated resources for a national anti-trafficking committee under the prime minister's office and inaugurated a national day against trafficking in persons. Despite these achievements, the government did not report any convictions for trafficking-related offenses and did not implement its National Action Plan for the Prevention of and Fight Against Trafficking in Persons. It did not systematically identify trafficking victims among vulnerable populations or have a standardized mechanism in place to refer potential victims to government- or NGO-run protection services, and did not provide adequate protection services for all trafficking victims. Due to a lack of formal victim identification and screening procedures, potential trafficking victims remained at risk of penalization by the law enforcement system for acts committed as a direct result of being subjected to trafficking, such as immigration violations and prostitution. Therefore Algeria remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR ALGERIA

Implement the 2016 presidential decree requiring the National Committee for the Prevention and Fight Against Trafficking in Persons (NCPFAT) to vigorously investigate, prosecute, and convict sex and labor trafficking offenders and punish them with sufficiently stringent penalties; establish formal procedures for proactive victim identification and referral to care, and train law enforcement, judicial, and health care officials and social workers on these procedures; provide additional training to labor inspectors and criminal law enforcement personnel to build enforcement capacity to address labor trafficking and identify human trafficking victims; develop formal mechanisms to provide appropriate protection services, either directly or through support and partnership with NGOs and international organizations, including a designated shelter, and provide adequate medical and psycho-social care, legal aid, and repatriation assistance to all trafficking victims; ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; ensure the safe and voluntary repatriation of foreign victims, including through collaboration with relevant organizations and source country embassies, and provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship, continue public awareness efforts regarding the indicators and risks of trafficking, including the difference between human trafficking and smuggling; monitor and report the number of criminal investigations, prosecutions and convictions; and implement the national anti-trafficking action plan.

PROSECUTION

The government increased efforts to investigate and prosecute trafficking offenders. Algeria criminalized sex and labor trafficking under section 5 of its penal code. Prescribed penalties under this statute ranged from three to 20 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law No.14-01, which criminalized the buying and selling of children younger than the age of 18, prescribed penalties of three to 20 years imprisonment for individuals and groups convicted of committing or attempting to commit this crime; however, this law could be interpreted to include such non-trafficking crimes as migrant smuggling or illegal adoption. The NCPFAT cooperated with the Ministry of Justice (MOJ) to draft a new anti-trafficking law in order to consolidate all trafficking-related statutes in one place and institutionalize some of the measures currently taken on an ad hoc basis.

NCPFAT is working with the MOJ, the Director General of National Security (DGSN), the Ministry of National Defense, and the National Gendarmerie (Police) on a database on trafficking victims, prosecutions, and convictions; however, the database was not operational at the end of the reporting period.

During the reporting period, the government reported investigating four cases involving 26 alleged traffickers and prosecuting 22 defendants under the anti-trafficking law in three of these cases, as compared with investigating and prosecuting 16 alleged perpetrators last year. Four suspects allegedly exploited two children in child sex trafficking, three suspects reportedly exploited five undocumented sub-Saharan migrants in forced labor and an unspecified number of perpetrators allegedly exploited 12 Malian girls in domestic

servitude. While the government did not report specifically convicting any trafficking offenders, it did report sentencing 14 of 79 alleged perpetrators of child labor offenses to jail, some of whom may have been involved in human trafficking. The government did not provide updated information on cases reported in previous years, including the outcome of 16 prosecutions that remained pending at the end of the previous reporting period. The government requested assistance from Nigerien judicial authorities in its ongoing investigation of the September 2016 case against six alleged traffickers, as it continued to search for four alleged traffickers who were at large at the end of the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The DGSN maintained six police brigades to monitor illegal immigration and human trafficking and provided staff with specialized training. It also maintained 50 brigades specializing in combating crimes against children, including trafficking crimes. The government reported working actively through the African Union Mechanism for Police Coordination to increase international coordination in combating trafficking in persons. Algeria hosted the UNODC's regional North Africa-Sahel forum, which included discussions of human trafficking with representatives from Algeria, Tunisia, Libya, Mauritania, Niger, Mali, Chad, and Burkina Faso. The government also contributed to INTERPOL's databases on human trafficking and migrant smuggling. The National Police, the MOJ, and the NCPFAT participated in the UNODC's Working Group on Trafficking in Vienna. Thirty police officers received training on trafficking at the Algiers police academy. The National Police organized a seminar in December 2017 on the judicial police's role in combating smuggling and trafficking in persons for investigators who interact with sub-Saharan migrants. The government also organized five conferences on trafficking in persons for judges.

PROTECTION

The government maintained protection efforts. The government identified 33 trafficking victims during the reporting period, including 19 males and 14 females, 20 adults and 13 children, one Algerian and 32 West African victims; this compared with 65 potential victims identified in the prior reporting period. The government reported that these identified victims received care and protection services. The government did not have a formal mechanism to generally identify or refer potential victims to protection services, but reported drafting an order that included such procedures, which awaited the prime minister's signature at the end of the reporting period. The government also remained without measures to screen for trafficking victimization among vulnerable groups, including migrants and persons in prostitution. The National Police provided investigators with a guide of indicators of trafficking in persons, and set up a hotline and website for victims of crimes, including trafficking, to submit reports to the police. The government reported that the hotline received over a million calls and the website received 2,264 trafficking tips; however, the government did not report if any of the calls or tips led to criminal investigations. The DGSN provided its officers with an INTERPOL manual on the trafficking and sexual exploitation of women. Government officials admitted difficulty distinguishing trafficking victims from irregular migrants and identifying trafficking victims among ethnically cohesive migrant communities.

Officials continued to rely on victims to report abuses to authorities; however, trafficking victims among the migrant populations typically did not report potential trafficking crimes to the police for fear of arrest and deportation. Additionally, trafficking victims were legally entitled to file civil suits against their offenders, but the government did not report cases in which victims did so during the reporting period. Many undocumented migrants, fearing deportation, avoided public services, and the government acknowledged that foreign victims did not come forward to bring trafficking cases to the attention of police. The government's frequent operations to deport irregular immigrants may have fueled the smuggling industry and further discouraged foreign trafficking victims from making their presence known to authorities. International NGOs reported that the government deported thousands of migrants, including some minors, from a range of countries to the desert border or neighboring countries during the reporting period. Observers also reported that the government did not screen migrants for potential trafficking victimization before deporting them or moving them to government transit centers. Thus, potential trafficking victims among migrant populations continued to face punishment, such as arrest and deportation, for illegal migration and other crimes committed as a direct result of being subjected to human trafficking. The government did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government increased efforts to prevent human trafficking. The government began to implement its September 2016 presidential decree, which formally institutionalized the inter-ministerial anti-trafficking committee, placed it under the auspices of the prime minister's office, and dispersed the funds in its dedicated budget. The committee was composed of 20 members from various government ministries and institutions who met several times during the year to coordinate the government's anti-trafficking activities, including implementation of the government's 2015 national anti-trafficking action plan. The NCPFAT and National Council on Human Rights (CNDH) held a major public awareness event for the International Day Against Trafficking in Persons. The government did not make efforts to reduce the demand for commercial sex or forced labor during the reporting period. The government began drafting a new migration law that would create a stronger legal framework for migration and asylum. The government provided anti-trafficking training as a part of its broader human rights training for its diplomatic personnel.

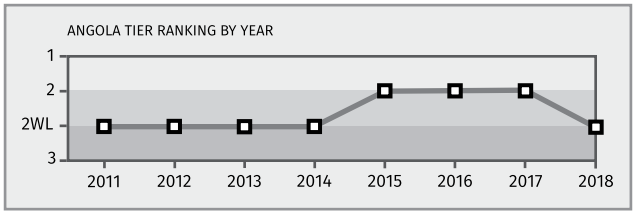
TRAFFICKING PROFILE

As reported over the past five years, Algeria is a transit and destination country for migrants—men, women, and children—and, in very isolated cases, a source country for children subjected to sex trafficking and men subjected to forced labor. Undocumented sub-Saharan migrants, primarily from Mali, Niger, Burkina Faso, Cameroon, Guinea, Liberia, and Nigeria, are most vulnerable to labor and sex trafficking in Algeria, mainly due to their irregular migration status, poverty, and language barriers. Unaccompanied women and women traveling with children are also particularly vulnerable to commercial sexual exploitation and forced domestic work. Sub-Saharan African men and women, often en route to neighboring countries or Europe, enter Algeria voluntarily but illegally, frequently with the assistance of

smugglers or criminal networks. Many migrants, impeded in their initial attempts to reach Europe, remain in Algeria until they can continue their journey. While facing limited opportunities in Algeria, many migrants illegally work in construction and some engage in prostitution to earn money to pay for their onward journey to Europe, which puts them at high risk of exploitation. Some migrants become indebted to smugglers, who subsequently exploit them in forced labor and sex trafficking upon arrival in Algeria. For example, female migrants in the southern city of Tamanrasset—the main entry point into Algeria for migrants and for the majority of foreign trafficking victims—are subjected to debt bondage as they work to repay smuggling debts through domestic servitude, forced begging, and forced prostitution. Some migrants also fall into debt to fellow nationals who control segregated ethnic neighborhoods in Tamanrasset; these individuals pay migrants' debts to smugglers and then force the migrants into bonded labor or prostitution. Tuareg and Maure smugglers and traffickers in northern Mali and southern Algeria force or coerce men to work as masons or mechanics; women to wash dishes, clothes, and cars; and children to draw water from wells in southern Algeria. Victims also report experiencing physical and sexual abuse at the hands of smugglers and traffickers. Many sub-Saharan migrant women in southern Algeria willingly enter into relationships with migrant men to provide basic shelter, food, income, and safety, in return for sex, cooking, and cleaning. While many of these relationships are purportedly consensual, these women are at risk of trafficking, and migrants in Tamanrasset reported instances of women prevented from leaving the home and raped by their "partner." Foreign women and children, primarily sub-Saharan African migrants, are exploited in sex trafficking in bars and informal brothels, typically by members of their own communities, in Tamanrasset and Algiers. Nigerien female migrants begging in Algeria, who often carry children—sometimes rented from their mothers in Niger—may be forced labor victims. Nigerien children, ranging from 4 to 8 years old, are brought to Algeria by trafficking networks with the consent of their parents and forced to beg for several months in Algeria before being returned to their families in Niger. Media and civil society organizations reported in 2015 that some sub-Saharan African migrant women working in domestic service for Algerian families experience physical abuse, confiscation of passports, and withheld pay. In 2014, the media and an international NGO reported Vietnamese migrants were forced to work on construction sites for Chinese contractors in Algeria. In 2015, civil society organizations reported isolated instances of foreign and Algerian children in sex trafficking and in forced labor on construction sites.

ANGOLA: TIER 2 WATCH LIST

The Government of Angola does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating three potential forced labor cases, prosecuting six suspected traffickers, and coordinating with two foreign governments to investigate five potential trafficking cases. The government identified trafficking victims and referred them to care. The Inter-Ministerial Commission to Combat Trafficking in Persons continued to meet periodically during the reporting period. The government raised awareness of trafficking through radio campaigns and outreach seminars in schools, universities, and churches. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government secured zero convictions during the reporting period. The government did not collect official statistics on the number of trafficking victims identified or referred to care during the reporting period. The government did not adequately fund victim protection mechanisms, including shelters and provision of basic aftercare services. Law enforcement and social services officials lacked a standardized mechanism for screening vulnerable populations. Border security guards forcibly detained and deported tens of thousands of illegal migrants without adequate screening procedures to identify potential trafficking victims. The inter-ministerial commission did not finalize or adopt a national action plan for the third consecutive year. Therefore Angola was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR ANGOLA

Increase investigations and prosecution of forced labor and sex trafficking offenses, including by complicit officials; train law enforcement officials on the 2014 money laundering law's anti-trafficking provisions; implement procedures for identifying trafficking victims, and train officials on such procedures; collect and analyze anti-trafficking law enforcement and victim protection data; investigate labor trafficking in the construction sector; develop uniform and systematic referral procedures for all provinces; increase efforts to provide shelter, counseling, and medical care for adult trafficking victims, including men, either directly or in partnership with NGOs; and launch a nationwide anti-trafficking public awareness campaign.

PROSECUTION

The government made mixed law enforcement efforts. The 2014 Law about the Criminalization of Infractions Surrounding Money Laundering criminalized sex and labor trafficking and prescribed penalties of one to 15 years imprisonment, depending on the specific offense; these were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Trafficking was criminalized in Chapter III, articles 18 through 23. Article 18 criminalized slavery and servitude, as well as the buying and selling of a child under 14 years of age for adoption or for slavery, with a penalty of seven to 15 years imprisonment. Article 19 criminalized the trafficking of adults and children for the purpose of sexual exploitation, forced labor or trafficking in organs by means of force, fraud or coercion, with a penalty of three to 12 years imprisonment. Article 19 made it a crime to receive services or organs that were provided by those means, subject to a lesser penalty. Article 20 made it a crime to entice or force a person to practice prostitution in a foreign country, with a penalty of two to 10 years imprisonment. Article 21 also appeared to make sex trafficking a crime; entitled "pimping," article 22 made it a crime to pimp children under the age of 18, without regard to means of force, fraud or coercion—which is the definition of sex trafficking of children in international law—with a penalty of two to 10 years imprisonment; for the use of force, fraud or coercion with a child less than 14 years old, the term of imprisonment was five to 12 years. Article 22 made it

a crime to entice children to engage in prostitution in a foreign country, with sentences of three to 12 years imprisonment; with force, fraud or coercion, the sentence was three to 15 years imprisonment. These sentences were commensurate with the penalties for other serious crimes, such as rape.

The government investigated three potential forced labor cases, compared with two potential sex trafficking cases in the previous reporting period. The government prosecuted six potential traffickers in cases involving 25 victims compared with one prosecution in the previous reporting period. The government did not convict any traffickers compared with three convictions during the previous reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

National police academy training continued to include human trafficking provisions. The government cooperated with Namibian and German authorities in the investigation of five potential trafficking crimes involving Angolan citizens abroad; these investigations remained ongoing at the close of the reporting period. The government maintained a labor agreement with the Government of China, which required Chinese companies to follow Angolan labor laws. Angolan authorities investigated construction companies and employers, including Chinese-run operations, for alleged forced labor abuses during the reporting period.

PROTECTION

The government decreased protection efforts. Although the government did not report official victim identification or referral data, it identified and referred to care 79 victims, including 17 children and 62 adults, compared with identifying 91 and referring 77 victims during the previous year. To stem the flow of illegal migrants crossing into Angola, particularly from the DRC, border security forces detained and deported tens of thousands of migrants without adequate screening to identify potential trafficking victims. The UN Special Rapporteur on the Human Rights of Migrants expressed concern over reports that Angolan security forces harassed, detained, and denied legal services to irregular migrants, a population particularly vulnerable to trafficking. The government did not adequately fund victim protection mechanisms, including shelters and legal, medical, and psychological services. The government had formal guidelines in six of Angola's 18 provinces to refer trafficking victims to care; however, it is unknown whether the government followed these guidelines during the reporting period.

The National Institute of Children (INAC) received referrals of child victims and managed child support centers in all 18 provinces, which provided food, shelter, basic education, and family reunification for crime victims younger than age 18; however, it was unclear if any children assisted during the year were trafficking victims. The Ministry of Social Action, Family and the Promotion of Women (MASFAMU) managed a national network of safe houses for women, counseling centers, and children's centers, which trafficking victims could access.

Law enforcement and social services officials lacked a mechanism for screening vulnerable populations, including foreign workers and persons in prostitution. The government may have arrested and deported individuals for unlawful acts committed as a result of having been subjected to trafficking, including immigration and employment violations. During the previous year, authorities who found workers without work permits during labor inspections fined the employers and arrested and deported the workers. On previous occasions when authorities identified trafficking victims among foreign laborers, the Angolan government routinely repatriated them to the source countries without providing care or ensuring proper treatment upon their arrival. Angolan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

PREVENTION

The government maintained its efforts to prevent human trafficking. The inter-ministerial commission—established in 2014 under the direction of the Ministry of Justice and Human Rights and the Ministry of Social Assistance and Reintegration—did not finalize or adopt a national action plan for the third consecutive year. The Inter-Ministerial Commission to Combat Trafficking in Persons continued to meet periodically during the reporting period. The government continued to work towards implementation of the Southern African Development Community (SADC) regional data collection tool; however, it had not fully deployed the system. The government contributed information to UNODC and SADC's first annual draft analysis report for the region. During the reporting period the Ministry of Justice and Human Rights created a page on its official website with information on human trafficking issues, providing the public with brochures on trafficking indicators, Angolan anti-trafficking legislation, and resources for victims. The government-funded several public information radio campaigns to raise awareness of trafficking and conducted outreach seminars to warn about the risks of trafficking at universities, secondary schools, and churches. The Ministry of Justice and Human Rights operated a hotline for potential victims and for the public to report suspected trafficking cases; it is unknown how many calls the hotline received. In June 2017, the government created an alert system to prevent kidnapping and crimes against children, including trafficking; however, the government did not comprehensively train authorities on the alert system's use, and the extent to which it was utilized during the reporting period was unclear. The government sought technical assistance from two international organizations to review Angola's anti-trafficking legislation, identify state and non-state actors that work on counter trafficking, and to provide recommendations to help develop a new national anti-trafficking policy. Resistance from the national police to share information in its national crime database has slowed the inter-ministerial commission's analysis of trafficking in Angola. The government did not report any efforts to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

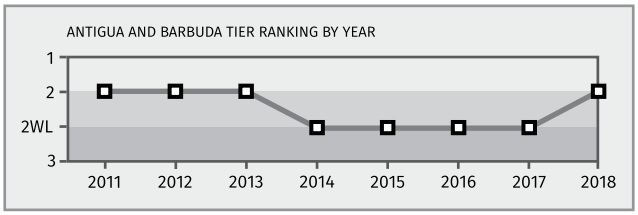
As reported over the past five years, Angola is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Angolans, including minors, endure forced labor in the brick-making, domestic service, construction, agricultural, and artisanal diamond mining sectors within the country. Angolan girls as young as 13 years old are victims of sex trafficking. Angolan adults use children younger than age 12 for forced criminal activity, because children cannot be criminally prosecuted. The provinces of Luanda, Benguela, and the border provinces of Cunene, Namibe, Zaire, Lunda Norte, and Uige are the most high-threat areas for trafficking activities. Some Angolan boys are taken to Namibia for forced labor in cattle herding, while others are forced to serve as

couriers to transport illicit goods, as part of a scheme to skirt import fees in cross-border trade with Namibia. Angolan women and children are subjected to domestic servitude and sex trafficking in South Africa, Namibia, and European countries, including the Netherlands and Portugal.

Women from Namibia, the DRC, Vietnam, and Brazil engaged in prostitution in Angola may be victims of sex trafficking. Some Chinese women are recruited by Chinese gangs and construction companies with promises of work, but later are deprived of their passports, kept in walled compounds with armed guards, and forced into prostitution to pay back the costs of their travel. Chinese, Southeast Asian, Brazilian, Namibian, Kenyan, and possibly Congolese migrants are subjected to forced labor in Angola's construction industry; they may be subject to withholding of passports, threats of violence, denial of food, and confinement. At times, workers are coerced to continue work in unsafe conditions, which at times reportedly resulted in death. Chinese workers are brought to Angola by Chinese companies that have large construction or mining contracts; some companies do not disclose the terms and conditions of the work at the time of recruitment. Undocumented Congolese migrants, including children, enter Angola for work in diamond-mining districts, where some endure forced labor or sex trafficking in mining camps. Trafficking networks recruit and transport Congolese girls as young as 12 years old from Kasai Occidental in the DRC to Angola for labor and sex trafficking.

ANTIGUA AND BARBUDA: TIER 2

The Government of Antigua and Barbuda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Antigua and Barbuda was upgraded to Tier 2. The government demonstrated increasing efforts by conducting more investigations and improving victim identification, conducting its first trafficking raid, establishing a new trafficking unit to coordinate and expedite efforts across the government, tripling its budget for combating trafficking, creating new agreements with government agencies to improve coordination and victim protection, and developing a new trafficking database to better track cases. However, the government did not meet the minimum standards in several key areas. The government's trafficking law, by allowing a fine in lieu of imprisonment, had penalties that were not commensurate with those for other serious crimes. To date, the government has failed to convict a trafficker and a ruling is still pending on penalties for complicit police officers in a 2015 case.



RECOMMENDATIONS FOR ANTIGUA AND BARBUDA

Vigorously investigate and prosecute cases of sex trafficking and forced labor and convict and punish traffickers, including complicit officials; increase efforts to identify victims through proactive screening of vulnerable populations, such as migrants and individuals in commercial sex; develop a national action plan for the period beyond 2018; provide continued funding across all agencies to increase efforts to combat human trafficking; implement joint and agency-specific standard operating procedures (SOPs) for all government agencies and NGOs on victim referral; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; develop formal agreements with international organizations and countries to share information and conduct joint investigations on human trafficking cases; publish reports on government anti-trafficking efforts; and increase efforts across the country to reduce the demand for commercial sex and forced labor.

PROSECUTION

The government increased prosecution efforts. The Trafficking in Persons (Prevention) Act, 2010 criminalized sex and labor trafficking and prescribed penalties of up to 20 years imprisonment, fines up to 400,000 Eastern Caribbean dollars ($148,150), or both. These penalties were sufficiently stringent. By allowing for a fine in lieu of imprisonment for sex trafficking, these penalties were not commensurate with those for other serious crimes, such as rape. Authorities investigated eight cases of potential trafficking, compared to three in 2016; four of eight investigations remained active at the end of the reporting period, as police determined the other four did not constitute trafficking. The remaining four cases were pending prosecution. In one of the four cases, the police, in a joint operation with several other government agencies, conducted a raid on two nightclubs in February 2018, the first trafficking raid in the country. The police took four suspects into custody; three were subsequently released and one was charged with four counts of human trafficking involving six confirmed Jamaican adult female victims. A prosecution of a December 2015 case involving two alleged perpetrators was pending a trial date in 2018. The government has never reported any trafficking convictions. Authorities commented police investigators and prosecutors were overburdened and operated with limited resources.

Police and Immigration signed a Memorandum of Understanding (MOU) this year to provide a formal mechanism for coordination on investigating trafficking cases; one of the four trafficking cases in 2017 originated from this MOU. The police worked with Interpol and police from victims' countries, including Jamaica. However, the government lacked formal agreements or joint investigations with these organizations and countries. Twenty-four police, prosecutors, and judicial personnel received training from an international organization on victim-centered investigations and prosecutions.

The government did not report any new investigations of government employees complicit in trafficking offenses. The police standards committee continued to review, for disciplinary action, the 2015 case of three police officers suspected of indirect involvement in trafficking crimes; a hearing was expected in 2018. Over the past three years, the police force chose administrative sanctions for officers suspected or implicated in trafficking, rather than charging them with a crime under the country's trafficking laws.

PROTECTION

The government increased protection efforts. The government identified nine victims—eight adult female sex trafficking victims (two from Guyana and six from Jamaica) and one

minor Antigua and Barbudan female victim; this compared to four victims in 2016. Although the government did not have formal SOPs for victim referral, it developed and implemented a new referral chart that all relevant agencies used for victim referral. The government referred the eight identified victims to care services and assisted with one repatriation. During the reporting period, the government signed an MOU with the gender affairs department to provide for the immediate needs of victims. The gender affairs department, which worked with its network of providers, was responsible for providing care to the victims and obtained in-kind contributions for victim care donated from businesses. The government opened a crisis center for trafficking victims and other victims of gender-based violence. The government provided long-term shelter through an informal network organized by the Ministry of Public Safety.

All victims identified during the reporting period cooperated with law enforcement investigations. The government could provide temporary residency status for foreign victims who desired to stay in the country; this assistance was not contingent on assisting law enforcement. The government allowed testimony via video, although the director of public prosecutions had not used this method in court to date. Per the anti-trafficking law, a victim can file a civil suit for restitution from a government official complicit in trafficking; however, the government reported no civil suits during the reporting period. The government conducted victim identification training for 30 persons including labor and immigration officers and the media.

PREVENTION

The government increased prevention efforts. According to the Ministry of National Security, the 2017 budget for anti-trafficking efforts was 330,430 Eastern Caribbean dollars ($122,380), compared to 109,410 Eastern Caribbean dollars ($40,520) in 2016 and 66,000 Eastern Caribbean dollars ($24,440) in 2015. In addition, social services for victims came out of the violence against women budget of the gender affairs department. The Ministry of National Security also relied on in-kind donations from businesses for print material and public service announcements. All government agencies, however, cited lack of finances as a key deficiency in increasing anti-trafficking efforts. Barbuda, the smaller sister island to Antigua, was decimated by the passage of Hurricane Irma in September, which placed a strain on already limited government resources.

The Trafficking in Persons Prevention Committee (TPPC), the coordinating body for anti-trafficking efforts, was chaired by the Permanent Secretary of the Ministry of National Security and Labor. The TPPC, which included representatives from various government agencies and one NGO, continued to oversee implementation of the 2016-2018 national action plan. The government established a new working-level anti-trafficking unit within the Ministry of National Security, which comprised a victim care and support officer, an administrative assistant, an accounts officer, a communications officer, and a filing clerk. Authorities noted the unit improved coordination and efficiency of response efforts to trafficking.

The government increased awareness activities by producing two public service announcements and placing several billboards across the country. In September 2017, the government conducted a week of prevention activities in collaboration with NGOs and media outlets. The government also designed and presented plays at five schools. The gender affairs department included trafficking awareness training in its gender-based violence awareness sessions in ten communities, as well as in a special training session for government workers.

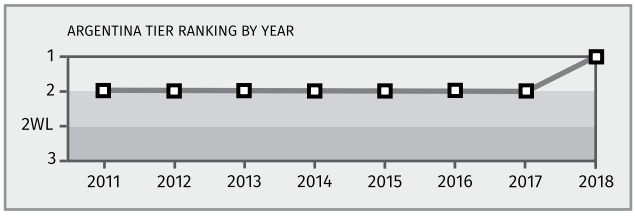
The government had not published its 2017 annual report on anti-trafficking efforts by the close of the reporting period. The government created and implemented a new database, managed by the anti-trafficking unit, to better track trafficking-related data across the government; participating authorities noted this database improved coordination and documentation. The government also conducted anti-trafficking training with labor inspectors, labor unions, and TPPC members. The government operated a gender-based violence hotline that could handle the reporting of trafficking and assisting victims. Through its public awareness campaigns across Antigua, the government made modest efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, Antigua and Barbuda is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Legal and undocumented immigrants from the Caribbean region, notably from Jamaica, Guyana, and the Dominican Republic are most vulnerable to trafficking. Authorities reported an increased number of trafficking victims engaged in multiple-destination trafficking, arriving in Antigua and Barbuda for a few months before moving on to other Caribbean countries such as St. Kitts and Nevis and Barbados. Sex trafficking has been reported in bars, taverns, and brothels. There are anecdotal reports of children subjected to sex trafficking, including by parents and caregivers. Forced labor occurs in domestic service and the retail sector. There have been concerns about trafficking-related complicity by police officers.

ARGENTINA: TIER 1

The Government of Argentina fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Argentina was upgraded to Tier 1. These achievements included prosecuting and convicting complicit officials; identifying and assisting more victims; establishing additional legal protections for victims; increasing the number of prosecutions; providing more training to government officials and civil society members; and improving data collection. Although the government meets the minimum standards, the number of investigations and convictions declined; mid- to long-term victim assistance, including housing for male victims, remained inadequate; and victim identification of vulnerable populations remained insufficient. Despite efforts to hold complicit officials accountable, official complicity in trafficking crimes continued to inhibit law enforcement efforts.



RECOMMENDATIONS FOR ARGENTINA

Strengthen efforts to investigate, prosecute, convict, and punish traffickers with dissuasive sentences, including complicit officials;

provide adequate funding for specialized shelters, including dedicated shelters for male victims; increase availability of mid- to long-term assistance for victims assisting law enforcement, including legal, medical, and employment services; provide victim identification training to law enforcement officials and labor inspectors focused on specific vulnerable populations, such as domestic workers; implement the anti-trafficking plan with an adequate budget; strengthen coordination among the federal and provincial governments and NGOs; increase awareness campaigns targeting vulnerable populations; improve victim restitution procedures; improve efforts to collect data on victim protection efforts and assistance; increase efforts to reduce the demand for forced labor, such as establishing government procurement policies to prevent the use of forced labor in their supply chains; and revise the definition of human trafficking under Argentine law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. Law 26.842 of 2012 criminalized labor and sex trafficking, and prescribed punishments of four to 10 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime. The law also defined trafficking broadly to include facilitating or profiting from the prostitution of others and the illegal sale of organs without the use of force, fraud, or coercion. Due to these inclusions, it was unknown how many of the cases prosecuted under Law 26.842 involved trafficking offenses, as defined by international law.

While federal authorities did not report the total number of trafficking cases investigated, the Ministry of Security (MOS) expanded their data collection and reported federal officials recorded 3,130 preliminary trafficking investigations, which included actions such as wiretaps and raids, during the reporting period; it was unclear how many led to formal investigations. The anti-trafficking prosecutor's office (PROTEX) opened 237 investigations in 2017, compared with 298 in 2016 and 358 in 2015. The government prosecuted 63 suspected traffickers (35 for sex trafficking and 24 for labor trafficking) under the trafficking law, compared with 54 (32 for sex trafficking and 22 for labor trafficking) in 2016 and 98 for sex and labor trafficking in 2015. Four of the 63 suspected traffickers were connected to forced marriage, which the country's law criminalized under its anti-trafficking laws. The government convicted 38 traffickers (33 for sex trafficking and five for labor trafficking) in 2017, compared with 46 in 2016 and 35 in 2015. The average prison sentence was five years, with nearly 70 percent of convictions resulting in mandatory prison terms and the majority of mandatory prison terms exceeding one year. Twenty-three percent of conviction sentences were less than three years. Under Argentine law, defendants sentenced to less than three years for any crime were eligible to have their sentences suspended; 8 percent of all trafficking convictions resulted in suspended sentences or no prison time aside from pre-trial detention.

Corruption and official complicity in trafficking crimes remained significant concerns, although the government made progress on three previously reported cases. In one case, the government convicted in 2017 a provincial mayor and a superintendent to five years imprisonment for protecting a sex trafficking organization. In the second case, which involved a brothel owner accused of sex trafficking, PROTEX's complaint that one of three judges assigned to the case was allegedly involved in covering up trafficking crimes was accepted by the official judicial entity that certifies and disqualifies active judges. The judge resigned at the end of the reporting period, and because of this, the judicial entity is unable to continue their investigation. The prospect of separate authorities continuing the investigation or filing criminal charges was unknown at the end of the reporting period. Additionally, authorities indicted two defense attorneys of the brothel owner for alleged threats and intimidation against a witness. The third case, in which two members of the security forces and the judiciary were allegedly involved with three trafficking networks, authorities indicted 18 individuals—including both government officials—accused of sexual exploitation in September 2017, and the case was awaiting trial at the end of the reporting period. The government provided numerous anti-trafficking trainings to law enforcement, prosecutors, and judicial officials, among others, including virtual training courses. PROTEX, working with foreign governments and Interpol, helped investigate five international cases involving Argentine victims and alleged traffickers. PROTEX also signed cooperative agreements with Portugal, Brazil, and Bolivia to establish frameworks to hold joint investigations.

PROTECTION

The government increased protection efforts. The Rescue Program was the government office responsible for coordinating emergency victim services nationwide; in 2017, it reported identifying and assisting 1,107 trafficking (658 labor, 358 sex trafficking, and the remainder were unspecified) victims, compared with 666 in 2016. This included 960 adults, 57 minors, 560 females, 438 males, and 19 transgender victims. The Ministry of Social Development (SENNAF) is responsible for identifying and assisting foreign victims; SENNAF reported identifying and assisting 80 foreign victims during the reporting period. The government did not report if that number was included in the total number of victims that the Rescue Program identified. All identified victims received the option of emergency assistance—which included shelter, psychological, medical, and legal assistance—during the early stages of the investigation and trial. Law 27.362, enacted in July 2017, provided a legal framework, and more public defenders, to secure rights and guarantees for victims of crimes in general, including human trafficking victims. The law was not utilized in any trafficking cases in the reporting period. Additionally, the MOS developed guidance for referral of complaints on trafficking crimes within police and security forces stations and guidance on how federal security forces should behave when interviewing trafficking victims. Federal officials had formal procedures for victim identification and assistance; however, in practice, the procedures to identify victims among vulnerable populations varied by province. Some front-line responders had limited understanding of trafficking. The federal government did not make efforts to identify victims of domestic servitude, although some provincial-level officials led efforts to identify and raise awareness of domestic servitude.

SENNAF, along with each provincial government, was responsible for both mid- and long-term assistance for foreign and Argentine victims; they reported assisting 847 victims, marking the first time they collected these data. However, mid- and long-term assistance remained deficient. Regional governments in seven provinces operated anti-trafficking centers, which provided psychological, social, medical, and judicial assistance to trafficking victims. A government-funded NGO

operated two shelters in Buenos Aires and Tucuman that assisted trafficking victims. SENNAF reported operating one shelter specifically for foreign victims, regardless of gender or age. There were no other specialized shelters for male victims; therefore, the government often placed male victims in other government-funded shelters or in hotels for temporary housing. NGOs reported a need for long-term housing, skills training and employment, childcare, legal assistance, and financial assistance for victims after testifying in court cases. Foreign victims had the same access to care as Argentine nationals; however, victims were sometimes unaware of available services. Authorities reported 80 foreign victims received assistance during the reporting period, with roughly half being minors. The government did not report the number of victims who received repatriation assistance. The Ministry of Justice received approximately 199.7 million Argentine pesos ($10.4 million) to support victims' assistance activities. Authorities, including SENNAF, organized 64 training courses, reaching 8,136 individuals, including officials, members of civil society, students, teachers, and health professionals.

The government encouraged the participation of victims in trials of their traffickers by assisting victims throughout the initial testimony and during any subsequent appearances. The Rescue Program provided tribunals with reports on the psychological state of victims and what requirements they might have to assist in the prosecution of their traffickers. Other support for victim testimony included the possibility of video testimony and the use of recorded testimony. It was unclear how many victims received such assistance during the reporting period. There were no reports of identified victims jailed or penalized for unlawful acts committed as a direct result of their being subjected to trafficking. Victims can file for restitution by bringing civil suits against traffickers. There were limited examples of success under this procedure, and the government conducted outreach and drafted policies during the reporting period to improve best practices on both topics.

PREVENTION

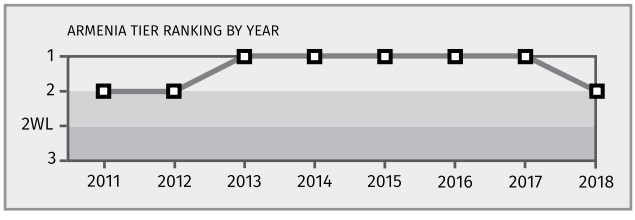
The government maintained prevention efforts. In March 2017, the Federal Council on human trafficking, which included federal government entities, provincial officials, civil society, and a smaller executive council that implemented the initiatives of the federal council, held its first full meeting with all participants and established victim assistance as an explicit mandate. Despite these efforts, NGOs advocated for improved interagency coordination, specifically on victim assistance. The government continued drafting a national action plan, with input from the federal council. The government launched a new campaign to increase public awareness of trafficking indicators and to encourage the public to report cases of potential trafficking. Some provincial governments undertook prevention efforts, such as awareness campaigns focused on advertising the national hotline, yet NGOs reported concerns with an alleged decrease in large-scale prevention campaigns over the reporting period. NGOs and municipal authorities continued to express concern about child sex tourism, although there were no reported investigations or prosecutions related to this crime. The government continued proactive efforts to register informal workers and employers in rural areas and investigate non-compliance with labor laws; yet civil society reported a decrease in labor inspections in rural areas. PROTEX continued operating the national hotline system with response assistance from the Rescue Program. The government made efforts to reduce the demand for commercial sex, but not for forced labor. Argentine troops received anti-trafficking training prior to their deployment abroad on international peacekeeping operations.

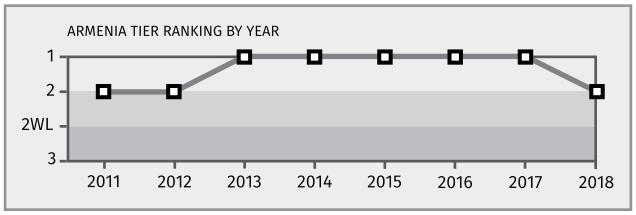
TRAFFICKING PROFILE

As reported over the past five years, Argentina is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Argentine women and children are subjected to sex trafficking within the country, as are women and children from other Latin American countries, particularly Dominican Republic, Paraguay, Bolivia, Uruguay, and Brazil. To a more limited extent, Argentine men, women, and children are subjected to sex and labor trafficking in other countries, mostly in Europe. Transgender Argentines are exploited in sex trafficking within the country and in Western Europe. Men, women, and children from Argentina, Bolivia, Paraguay, Peru, and other countries are subjected to forced labor in a variety of sectors, including sweatshops, agriculture, street vending, charcoal and brick production, domestic work, and small businesses. Chinese citizens working in supermarkets are vulnerable to debt bondage. Official complicity, mainly at the sub-national levels, continues to hinder the government's efforts to combat trafficking. In 2016, the Municipality of Ushuaia was ordered to pay restitution to a victim after being found complicit of facilitating trafficking by failing to adequately regulate brothels.

ARMENIA: TIER 2

The Government of Armenia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by providing robust training for law enforcement, initiating slightly more prosecutions, and organizing various awareness campaigns. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government did not proactively identify victims or conduct proactive investigations and relied on victims to self-identify; the number of victims identified decreased compared to the previous reporting period. Authorities dropped most cases categorized as trafficking by local police due to a lack of evidence and first responders did not use uniform indicators to screen vulnerable populations. Investigators repeatedly interrogated victims, including children, and victims always appeared in front of their traffickers in court; risking re-traumatization. International organizations reported cases of child labor and child abuse in state childcare institutions, and noted the institutions lacked measures to prevent the exploitation of children. The government continued to suspend the majority of labor inspectorate functions, hindering regular inspections that had the potential to identify forced labor; no labor inspections were conducted during the reporting period. Therefore Armenia was downgraded to Tier 2.





RECOMMENDATIONS FOR ARMENIA

Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2; establish and implement preventative measures for child labor and potential child trafficking in state child care institutions; increase efforts to proactively identify trafficking victims; develop standard operating procedures for screening trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations; proactively investigate all potential trafficking offenses, even those complaints filed by victims that do not specifically mention trafficking; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and provide advanced training on trafficking investigations and prosecutions; allow labor inspectors to conduct regular inspections and identify victims through unannounced visits; establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers; work with NGOs to find ways to identify and assist Armenian victims in Turkey; and approve legislation to establish victim-witness protection measures.

PROSECUTION

The government decreased law enforcement efforts. Articles 132 and 132-2 of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to eight years imprisonment, which were sufficiently stringent, and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated six cases (16 in 2016). Of these, two cases were sex trafficking and four were forced labor (five cases of sex trafficking, 10 of forced labor, and one case of both sex trafficking and forced labor in 2016). The government prosecuted three defendants (one in 2016); one for sex trafficking, one for forced begging, and one for forced labor. Courts convicted one sex trafficker (three sex traffickers in 2016). The trafficker received 12 years imprisonment.

Observers reported the Investigative Committee (IC) or Prosecutor General's Office dropped most cases categorized as trafficking by local police due to a lack of evidence. Local investigators lacked the skills to properly interview victims, especially children; however, the IC set up child-friendly interview rooms in five regional divisions. Law enforcement investigated only formal criminal complaints filed by victims that specifically alleged trafficking and did not proactively investigate criminal activity that potentially involved trafficking. As a result, law enforcement initiated investigations only when victims self-identified. The government trained 320 prosecutors, 327 investigators from the IC, and 540 employees from penitentiary institutions on trafficking issues. The government trained 119 officials working on juvenile investigations and 21 investigators from the IC on child trafficking issues. The government also trained 174 civil servants on fighting official complicity. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Prosecution of forced labor cases involving Russia remained a challenge, where Armenian investigators continued to face difficulties collaborating with law enforcement. Similarly, the absence of diplomatic relations with Turkey continued to hinder law enforcement and victim protection efforts for cases involving Turkey.

PROTECTION

The government decreased protection efforts. The government identified 13 victims (22 in 2016). Of these, eight were subjected to sex trafficking and five to forced labor (three sex trafficking and 19 forced labor in 2016); two were children in both 2016 and 2017; 10 were females and three were males (five females and 17 males in 2016). Experts reported an absence of proactive identification and the government relied on victims to self-identify. First responders did not use uniform indicators to screen vulnerable populations. The government provided temporary shelter, emergency medical aid, and psychological aid to potential trafficking victims during the "pre-identification stage," a stage where the government collected information on the potential victim within a maximum of 10 days. The Victim Identification Commission (VIC), comprised of national and local government bodies, NGOs, and international organizations, officially recognized victims based on information collected during the "pre-identification stage". NGOs reported positive cooperation with the government and that the referral procedures functioned well.

The government allocated 19,068,600 drams ($39,320) for victim protection efforts, including operational costs for an NGO-run shelter, compared to 18,846,000 drams ($38,860) in 2016. The government and local NGOs jointly provided victims legal, medical, and psychological assistance; housing; one-time monetary compensation of 250,000 drams ($515); and access to social, educational, and employment projects. The government also offered free health care but relied on NGOs to provide legal assistance, including the cost for attorneys. Two victims received health care (one in 2016) and nine victims received legal assistance. The government maintained a cooperation agreement and partially funded one specialized NGO-run shelter to provide services to victims; the NGO-run shelter assisted 19 newly-identified victims (19 in 2016), and 36 victims in total. The NGO-run shelter required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Services were available to female and male victims, but male victims did not have access to a shelter. The NGO-run shelter and childcare institutions accommodated child victims. However, GRETA and OSCE reported cases of child labor and child abuse in state childcare institutions; staff at state childcare institutions considered child labor to be normal. The law designated the Ministry of Foreign Affairs to coordinate repatriation of Armenian victims from abroad, but observers reported difficulties in repatriations due to a lack of established procedures and funds to cover logistical costs; the government repatriated three victims (11 in 2016).

Authorities did not make victim assistance contingent on victim cooperation with law enforcement and afforded foreign victims the same rights and services as Armenian citizens. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. Observers reported law enforcement officers in remote areas lacked information and training to inform victims

of their rights to protection or assistance. Victims hesitated to assist in prosecutions due to a lack of confidentiality in public testimonies, creating a fear of retaliation from traffickers and stigmatization from their family and community. Authorities did not protect victims' rights during court proceedings, including children; investigators repeatedly interrogated victims and victims always appeared in front of their traffickers in court, risking re-traumatization. The government continued to lack a formal victim-witness protection program. The government adopted a decree in 2016 that provided witness protection specifically to trafficking victims. Victims were legally entitled to obtain restitution during criminal proceedings or through a separate civil suit. Victims did not file any civil suits; however, in previous years, judges had not issued damages in civil suits, asserting that victims did not substantiate the financial damages they had suffered. The law allowed investigators to place defendants' property in custody to fund potential civil claims, but this rarely occurred in practice.

PREVENTION

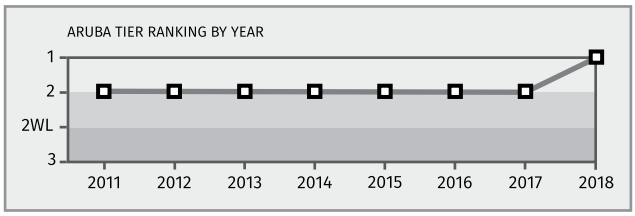
The government maintained prevention efforts. The Anti-trafficking Ministerial Council and the Interagency Working Group against Trafficking in Persons continued to implement the 2016-2018 national action plan (NAP) and published semi-annual and annual reports of its activities. Observers reported the government did not monitor for progress or assess the impact and outcomes of the NAP. There was no mechanism for oversight and regulation of labor recruitment agencies. As a result of a legal change suspending most labor inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and identify indications of forced labor. The Ministry of Health formed the Health Inspection Body (HIB), but their mandate was limited to workplace health and safety inspections and did not have authority to conduct unannounced inspections; HIB was still recruiting inspectors and did not conduct any inspections during the reporting period. The government held awareness-raising discussion at schools and campaigns targeting students and teachers. The Ministry of Diaspora distributed informative materials on the risks of trafficking to individuals crossing the border, as well as Armenians residing in the Middle East and European countries. The Ministry of Labor and Social Affairs aired a trafficking program on television and government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; the government did not report the number of calls. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. Armenians are subjected to labor trafficking in Russia, the United Arab Emirates (UAE), and Turkey; Armenian women and children are subjected to sex trafficking in the UAE and Turkey. Armenian women and children are subjected to sex and labor trafficking and forced begging within the country. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labor trafficking. Men in rural areas with little education and children staying in childcare institutions remain highly vulnerable to trafficking.

ARUBA: TIER 1†

The Government of Aruba fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Aruba was upgraded to Tier 1. These achievements included identifying and assisting more victims, prosecuting five individuals and convicting two traffickers—the first since 2013, approving the 2018-2022 national action plan, and establishing a specialized investigatory police unit. Although the government meets the minimum standards, it did not dedicate a budget for victim protection efforts or fund the implementation of the national action plan.



RECOMMENDATIONS FOR ARUBA

Allocate sufficient resources to enable the national anti-trafficking task force and national coordinator to implement the 2018-2022 national action plan and all anti-trafficking efforts; vigorously investigate and prosecute trafficking offenses; punish traffickers with prison sentences to deter the crime; implement guidelines for proactive victim identification and referral of possible trafficking victims among Venezuelan migrants and asylum-seekers; train officials on the use of the newly adopted referral mechanism; proactively identify trafficking victims among all vulnerable groups, including women in prostitution, those who hold adult entertainment visas, domestic workers, and migrants working in construction, supermarkets, and retail; continue to provide information to all migrant workers arriving in Aruba on their rights and resources for assistance; formalize agreements with local NGOs and private sector accommodations to shelter adult and child victims; and finalize the implementation strategy for the construction of the multifaceted shelter for victims of crimes, including trafficking.

PROSECUTION

The government increased prosecution efforts to combat trafficking. Articles 2:239, 2:240, and 2:241 of the penal code criminalized sex and labor trafficking. Penalties ranged from eight to 18 years imprisonment or a fine of 25,000 to 100,000 florins ($14,040 to $56,180). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Human Trafficking and Smuggling Unit (UMM), which became operational in 2017, investigated seven cases for alleged forced labor in 2017, compared with six trafficking investigations in 2016 and one in 2015. The government

† Aruba is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.

prosecuted five individuals (two for sex trafficking and three for forced labor) and convicted two traffickers whose sentence ranged from 21 to 22 months imprisonment. Between 2014-2016, the government did not initiate any prosecutions or convict any traffickers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government trained 500 law enforcement officials on trafficking indicators. At the Interpol Conference on Human Trafficking in the Caribbean, the Aruban authorities trained officials in the region on best practices.

PROTECTION

The government increased protection efforts. In 2017, the UMM reported identifying 71 victims of labor trafficking, compared with nine trafficking victims in 2016 and one in 2015. The anti-trafficking task force continued to provide law enforcement and social services officials with a checklist of the most common signs of trafficking. The task force also identified different scenarios in which officials might encounter victims of trafficking, such as during visa interviews or medical screenings required for certain jobs. Multi-disciplinary teams comprised of police, labor, and immigration officials investigated six cases of possible forced labor. These inspections led to the prosecution of three individuals; legal proceedings remained open at the end of the reporting period. In 2017, the government began using a formal victim referral mechanism to guide officials; however, the government did not report referring victims using this mechanism. The government maintained informal verbal agreements with local NGOs and private sector accommodations to shelter adult and child victims of trafficking. Authorities placed unaccompanied child victims in foster care centers, foster homes, or local churches. Officials conducted risk assessments before deciding whether victims could leave shelters unchaperoned and restricted their movement if their lives were threatened. Despite the absence of a dedicated budget for anti-trafficking efforts, the government provided food, shelter, legal assistance, medical care, and repatriation assistance to all victims. During the reporting period, the government began drafting a plan for the development of a multifunctional shelter for victims in the Dutch Caribbean. Authorities did not report whether any victims assisted the government in the prosecution of their traffickers during the reporting period. Foreign victims were entitled to the same rights and protection as Arubans. The law authorized the extension of temporary immigration relief for foreign victims for three to six months on a case-by-case basis, and allowed foreign victims whose employers were suspected of trafficking to change employers. Authorities did not report whether any victims received these benefits. The criminal code enabled victims to file civil suits against traffickers and if the trial resulted from a criminal investigation, the victim could seek restitution not to exceed 50,000 florins ($28,090) for financial and emotional damages. The Bureau of Victim Assistance operated a hotline for victims of all crimes, including trafficking. In 2017, four victims of trafficking were identified and referred to services after calling the hotline.

PREVENTION

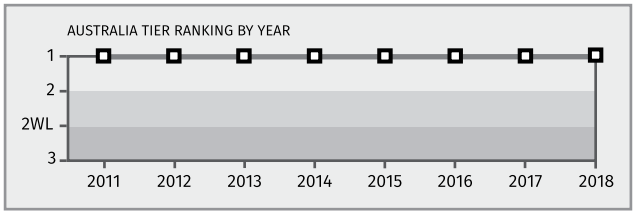
The government increased efforts to prevent trafficking. The government approved the 2018-2022 national anti-trafficking action plan; however, it failed to allocate funding for its implementation. The task force reported a lack of dedicated funding hindered implementation of the plan. The government continued to raise awareness of trafficking and the hotline via social media, posters, and flyers in four languages. The government educated students leaving Aruba to study abroad on the risks of becoming victims. In connection with the National Day Against Human Trafficking, the task force organized 10 training sessions for over 1,000 individuals including students, airline personnel, hotel staff, transportation companies, and the general public. The task force also worked with a local TV station to produce a documentary on trafficking expected to be released in 2018. The government continued procedures to screen and inform adult entertainers from Colombia, who must meet with Dutch consular officers to ensure the applicants know their rights and their work agreement before picking up their in-flight letter at the Dutch embassy in Colombia. Upon arrival, such visa recipients received information about their rights, risks, and resources. In an effort to reduce the entry or transit of potential victims of trafficking, the government created a register of all persons who acted as guarantors for foreigners entering the country. The government did not report efforts to reduce the demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Aruba is a transit and destination country for women, men, and children subjected to sex trafficking and forced labor. Venezuelan women are subjected to sex trafficking in Aruba, and foreign men and women are vulnerable to forced labor in the service and construction industries. Due to the deteriorating situation in Venezuela, the number of individuals overstaying their visa increased, leaving those with expired documentation vulnerable to trafficking. Chinese men and women working in supermarkets, Indian men in the retail sector and domestic service, and Caribbean and South American women in domestic service are also at risk of forced labor. A 2013 international organization report identified women in Aruba's regulated and unregulated prostitution sectors, domestic workers, and employees of small retail shops as populations most vulnerable to trafficking. Children may be vulnerable to sex trafficking and to forced labor in Chinese-owned supermarkets and restaurants.

AUSTRALIA: TIER 1

The Government of Australia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Australia remained on Tier 1. The government demonstrated serious and sustained efforts by investigating more cases, convicting more traffickers, identifying and referring victims to services, administering a program through which community groups delivered services assisting vulnerable workers, and increasing training for law enforcement personnel. Although the government meets the minimum standards, it did not adequately screen for indicators of trafficking among vulnerable groups and limited some victims' access to services based on participation in law enforcement investigations. Due to inconsistent screening, some potential victims were detained, fined, or penalized for unlawful acts committed as a direct result of being subjected to human trafficking.



RECOMMENDATIONS FOR AUSTRALIA

Significantly strengthen efforts to investigate and prosecute trafficking offenses, with increased focus on labor trafficking, and convict and stringently sentence sex and labor traffickers; strengthen efforts to proactively identify trafficking victims among vulnerable groups, such as undocumented migrants or workers filing civil grievances; de-link the provision of services from participation in the criminal justice process; increase efforts to train police and other front-line officers to recognize indicators of trafficking and respond to suspected cases of both sex and labor trafficking; increase training for prosecutors and judges on Australian trafficking laws; conduct initial screening interviews with potential victims in a safe and neutral location, and in the presence of a social service professional; increase funding to NGOs for robust victim protection services and consider establishing a national compensation scheme for trafficking victims; implement or fund awareness campaigns, particularly among rural communities and migrant populations; strengthen efforts to prosecute and convict Australian child sex tourists; increase efforts to investigate and hold accountable foreign diplomats posted in Australia suspected of complicity in trafficking; and increase efforts to reduce the demand for commercial sex and forced labor, including in supply chains and government procurement policy.

PROSECUTION

The government increased law enforcement efforts. Divisions 270 and 271 of the Commonwealth Criminal Code criminalized sex and labor trafficking and prescribed maximum penalties of 12 to 25 years imprisonment and fines of up to 197,000 Australian dollars ($154,030). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The criminal code also criminalized forced labor and prescribed penalties of nine years imprisonment, and the Migration Act of 2007 criminalized exploitation of migrant workers through forced labor, sexual servitude, or slavery, and prescribed penalties of up to five years imprisonment and various fines.

In 2017, the government investigated 166 suspected cases of trafficking (105 in 2016), initiated prosecutions against six defendants (five in 2016), and convicted five traffickers (one in 2016). Authorities continued prosecutions from previous reporting periods against 14 defendants. The government convicted one sex trafficker and, in one case, four labor traffickers. Under the law, prosecutors cannot recommend prison sentences—a factor that may contribute to weak penalties for traffickers prosecuted under lesser criminal charges. The government opened one investigation into alleged labor trafficking in the household of a foreign diplomat but reported being unable to pursue prosecution due to diplomatic immunity provisions. The government also prosecuted four defendants for allegedly traveling overseas to engage in child sex tourism but did not obtain any convictions (three in 2016). Authorities often opted to pursue labor or employment violations in lieu of trafficking charges, resulting in potential labor traffickers receiving only fines and other civil penalties that were inadequate to deter trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government funded and facilitated training on trafficking investigations, legal provisions, and victim support for more than 500 law enforcement and immigration officials. The Australian Federal Police (AFP) developed online training for front-line officers during the reporting period.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 38 potential victims (18 for sex trafficking and forced labor, and 20 for which the form of exploitation was unclear), compared with 36 in 2016. Authorities referred all 38 potential victims to the Australian government's Support for Trafficked People Program (support program). The government also assisted 15 potential Australian trafficking victims abroad, four of whom were returned to Australia; the government provided two of those returned assistance under the support program. Authorities utilized a list of indicators to identify trafficking victims and refer them to services; the government collaborated with NGOs to update the list during the reporting period. However, authorities did not routinely screen for indicators of trafficking among vulnerable groups, and authorities often linked trafficking to migration. The government did not report screening for trafficking indicators among individuals smuggled via sea before forcing intercepted boats back outside of Australian territorial waters, or among refugees and asylum-seekers held in offshore detention centers, where they may have faced inadequate living conditions. Immigration authorities forcibly deported some asylum-seekers who may have been vulnerable to trafficking after returning to their home countries. Authorities identified most victims through the efforts of joint agencies, task forces, and cooperative action with foreign governments. Some victims may have been reluctant to communicate with law enforcement officers due to fear of detainment and deportation. The government did not ensure social service professionals were present during initial screening interviews, although procedures were in place for law enforcement officials to bring them in at their discretion. While the government consulted with civil society through the Senior Official's Meeting of the National Roundtable on Human Trafficking and Slavery, NGOs noted a lack of collaboration on the ground in efforts to identify and screen for victims.

Authorities provided formally identified trafficking victims with accommodation, living expenses, legal advice, health services, vocational training, and counseling through a support program, for which the government continued to allocate approximately 1.7 million Australian dollars ($1.3 million). Only AFP had the legal authority to refer victims to the support program. NGOs reported the government denied access to or ceased provision of services to some victims who were unable or unwilling to participate in law enforcement investigations. In 2017, the government provided temporary stay visas to 13 foreign trafficking victims (33 in 2016), and granted permanent "referred stay" visas to eight victims (six in 2016) and their immediate family members, although some of these cases may have been forced marriage rather than trafficking. The government required victims to assist with an investigation or prosecution of a trafficking offense to obtain referred stay visas. Authorities provided witness assistance services to nine victims while they participated in prosecutions. The government did not have a centralized victim compensation system and victims relied on civil proceedings to access compensation. Some victims were detained, fined, or penalized for unlawful

acts committed as a direct result of being subjected to human trafficking; this was largely due to the lack of proper screening and the government's requirement for victims to participate in viable investigations.

PREVENTION

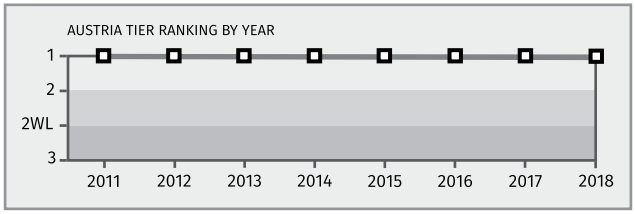
The government maintained efforts to prevent trafficking. The Australian Interdepartmental Committee on Human Trafficking and Slavery coordinated the government's anti-trafficking efforts. The government continued implementation of its five-year national action plan to combat trafficking, launched in 2014, funded research projects, and facilitated awareness sessions for government agencies and civil society groups. The government also allocated 500,000 Australian dollars ($390,930) to four NGOs for projects dedicated to prevent trafficking; however, NGOs noted this funding mainly went towards organizations focused on forced marriage and the government did not produce adequate trafficking awareness campaigns. The government continued to fund anti-trafficking initiatives and deliver trainings in the Asia-Pacific region. The Fair Work Ombudsman administered a program to fund community groups to deliver services assisting vulnerable workers. It continued to conduct awareness-raising campaigns on migrant workers' rights and conducted inquiries into potential labor abuses committed against migrant workers. The government continued to publish materials for passport applicants outlining the application of Australian child sexual exploitation and child sex tourism laws to Australians overseas. The government did not make efforts to reduce the demand for commercial sex acts, but it operated a ministerial labor exploitation working group and migrant workers task force aimed at reducing the demand for forced labor. The Department of Foreign Affairs and Trade conditioned the departure of diplomatic personnel to overseas posts on compliance with Australia's anti-trafficking legislation and Home Affairs distributed a training package to its overseas staff and visa service providers.

TRAFFICKING PROFILE

As reported over the last five years, Australia is primarily a destination country for women and girls subjected to sex trafficking and for women and men subjected to forced labor. A small number of children, primarily teenage Australian and foreign girls, are subjected to sex trafficking within the country. Some women from Asia and, to a lesser extent, Eastern Europe and Africa migrate to Australia to work legally or illegally in a number of sectors, including commercial sex. After their arrival, some of these women are coerced to enter or remain in prostitution in both legal and illegal brothels, as well as massage parlors and private apartments. Some foreign women—and sometimes girls—are held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, obliged to pay off unexpected or inflated debts to traffickers, or otherwise deceived about working arrangements. Traffickers attempt to evade authorities by allowing victims to carry their passports while in brothels and frequently move them to different locations to prevent victims from establishing relationships with civil society or other victims. Some victims of sex trafficking and some women who migrate to Australia for arranged marriages are subjected to domestic servitude. Unscrupulous employers and labor agencies subject some men and women from Asia and several Pacific Islands recruited to work temporarily in Australia to forced labor in agriculture, cleaning, construction, hospitality, and domestic service. Some identified victims are foreign citizens on student visas who pay significant placement and academic fees. Unscrupulous employers coerce students to work in excess of the terms of their visas, making them vulnerable to trafficking due to fears of deportation for immigration violations. Some foreign diplomats allegedly subject domestic workers to forced labor in Australia.

AUSTRIA: TIER 1

The Government of Austria fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Austria remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more trafficking victims, increasing funding for victim support, conducting more investigations of trafficking cases, and prosecuting more perpetrators. Law enforcement collaborated with neighboring and source countries on cases and in conducting training. The government also increased their emphasis on child victim identification and care by implementing the national referral mechanism for child victims. Although the government meets the minimum standards, courts in many cases issued light penalties for convicted traffickers.



RECOMMENDATIONS FOR AUSTRIA

Sentence convicted traffickers to penalties proportionate to the seriousness of the crime by ensuring more convicted traffickers serve time in prison; establish and implement a comprehensive national referral mechanism for adult victims; continue to strengthen cooperation with source country governments to promote awareness of trafficking among potential victims, and uncover and prosecute trafficking rings; enhance the level of detail contained in the government database of trafficking investigations, prosecutions, convictions and sentencing; and increase efforts to identify victims among women engaged in prostitution, the physically and mentally disabled, children exploited in prostitution and forced begging, and men working in sectors vulnerable to labor exploitation, and prosecute their traffickers.

PROSECUTION

The Austrian government maintained law enforcement efforts. Article 104a of the criminal code criminalized sex and labor trafficking with penalties of up to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 104 also criminalized slavery, with penalties ranging from 10 to 20 years imprisonment. Article 217 made it a crime to bring a person into Austria for prostitution, regardless of the means used, but imposed stronger penalties when a foreign person was induced to engage in prostitution by deception, coercion, or force. Article 217 penalties ranged from six months to 10 years imprisonment. The government investigated 94 trafficking suspects under article 104a in 2017, compared with 77 in 2016. The government prosecuted 19 trafficking defendants in 2017, compared with 19 in 2016.

Courts convicted three traffickers in 2017, compared with 10 in 2016 and two in 2015. In addition, the government also continued to investigate, prosecute, and convict trafficking crimes under Article 217, although it was unclear how many fit the definition of a trafficking crime. In 2017, it investigated 61 cases (also 61 in 2016), prosecuted 20 (also 20 in 2016), and convicted 7 (16 in 2016) under article 217.

The government did not provide updated sentencing data for the reporting period, although in March 2018 a court convicted two Chinese nationals in a sex trafficking case with prison sentences of three and one-half years, and 13 months, respectively. While the charges against 11 Chinese defendants included trafficking of more than 30 Chinese (People's Republic of China) women, the court only found exploitation and trafficking in the case of one woman. Victims had to pursue restitution via civil cases. The most recent comprehensive government data on prison sentences was for 2016; seven traffickers received sentences in 2016, one of whom received a suspended prison sentence. Of the six receiving prison terms under Article 104a, one received a term of up to five years, two received up to three years, and three for one year or less. Of the eight convictions in 2016 under Article 217, five received prison terms, with one receiving a term greater than one year, and four received terms less than one year. In comparison, individuals convicted of rape received substantially longer prison terms, with the majority serving three years or more.

The government provided specialized trafficking-related training to prosecutors and judicial personnel, and law enforcement officials received training on trafficking within their standard curriculum. National and provincial governments cooperated with authorities from other countries to investigate and prosecute trafficking cases. Specifically, the Federal Crime Office (FCO) expanded their counter-trafficking efforts in collaboration with neighboring and source countries, including extensive police cooperation with EUROPOL, and through their joint police cooperation center in Austria where foreign police joined in Austrian trafficking investigations.

PROTECTION

The government increased protection efforts. The government increased efforts to identify victims among migrants and asylum-seekers and in shelters for unaccompanied minors, providing training to border officials, NGOs, and directly to migrants. Police conducted raids and screenings in brothels to proactively locate victims. Police and other government institutions, in cooperation with NGOs, identified and assisted 327 foreign victims in 2017, an increase from 301 victims in 2016, although not disaggregated by gender in the official statistics. Eight of the victims were children, and 54 victims were not identified by age. NGOs reported assisting 65 male victims. The government provided €876,000 ($1.05 million) to specialized anti-trafficking NGOs to assist and house victims, compared to €892,000 ($1.07 million) in 2016 and €832,000 ($998,800) in 2015. The government also provided €415,000 ($498,200) to two NGO-run counseling centers for male trafficking victims and undocumented migrants, compared to €400,000 ($480,190) in 2016. Government funding comprised the bulk of these organizations' budgets. The city of Vienna funded a government-run center for unaccompanied minors, including child trafficking victims, and offered legal, medical, psychological, social, and language assistance. Services for child victims were also available in cities throughout the provinces. Youth welfare authorities in the provinces continued to receive training from NGOs on identification of victims, with sessions held in three cities during 2017. For adult trafficking victims, government-funded NGOs provided emergency shelter, medical care, psychological care, language assistance, and legal assistance; some NGOs offered specialized services for victims with physical or mental disabilities. Foreign victims were entitled to the same care available to domestic victims. NGO staff helped victims prepare for court proceedings and assisted foreign victims with repatriation. Victims in particular need of protection during the investigation and prosecution phases were afforded special interview methods, and could be accompanied by a trusted person.

The national trafficking task force implemented a comprehensive national referral mechanism and guidelines for the identification of child victims, although the task force had not yet implemented a comparable mechanism for adults. Government officials from multiple agencies and NGOs used guidelines and checklists to identify trafficking both child and adult victims proactively. Under a government-funded program, NGOs trained 68 immigration officials on victim identification, including those at federal migrant reception centers. The government also continued a wide range of trainings for law enforcement, the labor inspectorate, military officials, diplomatic services, detention and asylum center staffs, revenue agency authorities, and social service providers to more effectively identify victims.

Trafficking victims had the right to temporary residence status that could be extended each year, and residence permits allowed victims unconditional access to the labor market. Government benefits were not linked to their willingness to participate in the prosecution of their perpetrator, and victims were also granted a 30-day reflection period to receive assistance and decide whether to cooperate in investigations. The justice ministry reported 125 victims assisted with prosecutions during 2017. Victims were able to file civil suits against traffickers for damages and compensation, even in the absence of a criminal prosecution, and upon a conviction, courts also typically awarded restitution. The government provided legal aid for victims unable to afford their own legal representation.

PREVENTION

The government increased efforts to prevent trafficking. A national anti-trafficking coordinator headed a broad-based task force with representatives from nine federal ministries, provincial governments, NGOs, industry, and civil society. The task force led the continued implementation of the 2015-2017 national action plan and published a final report on results. The task force sponsored a conference for 120 provincial representatives to discuss coordinated efforts and conducted roundtables in all nine provinces in 2017 led by the working group on prostitution. The government also hosted international conferences on trafficking, including an event for 400 attendees on the EU's Anti-Human Trafficking Day in October, sponsored jointly with the OSCE, and focused on "Human Trafficking in Conflict and Crisis Situations."

The government supported publications and television programming on trafficking and child sex tourism, as well as campaigns to inform women in prostitution of their legal rights. Exhibitions in schools sensitized Austrian youth to trafficking issues, and the government continued to distribute the "Global Code of Ethics for Tourism" to tour operators, hotels, and restaurants to combat child sex tourism. The interior ministry continued to run a 24-hour trafficking hotline and email service, with translation available in multiple languages. Austrian embassies and consulates in source countries informed

visa applicants of the potential dangers of trafficking. The foreign ministry continued efforts on preventing trafficking among employees of diplomatic households, increasing workers' awareness of their rights and sensitizing them to trafficking. During Austria's presidency of the OSCE in 2017, the government co-sponsored a conference in May for all OSCE members on preventing trafficking in diplomatic households. The government required foreign domestic workers in diplomatic households to appear in person to receive their identification cards.

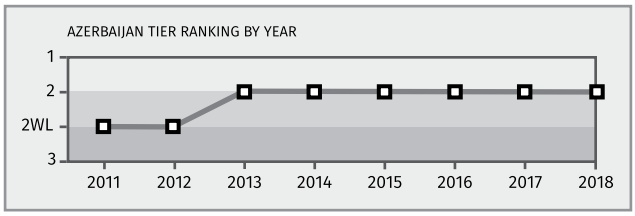
Prostitution is legal in Austria, and as a part of government effort to reduce the demand for commercial sex acts, the government assisted NGOs in distributing a brochure, published in seven languages, which raised public awareness about trafficking occurring within the commercial sex industry. The government worked with business and labor organizations in awareness-training on labor trafficking and exploitation, and also continued their annual training of labor inspectors, with 55 inspectors being trained since the program's inception in 2015. The government continued to enforce public procurement guidelines to avoid goods and services provided by exploited workers. Austrian troops received anti-trafficking training prior to deployment on peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Austria is a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. Victims primarily originate from Romania, Bulgaria, Hungary, Slovakia, Bosnia, and Serbia, with some victims coming from Nigeria, Southeast Asia, China, and South America. An estimated 95 percent of identified victims are foreign women subjected to sex trafficking. Traffickers sometimes lure women by offering them fictitious positions, including as au pairs, cleaners, restaurant workers, and dancers. Domestic workers in diplomatic households and workers in restaurants, construction, cleaning companies, and agriculture are frequently subjected to labor exploitation. Children and physically disabled persons are the primary victims of forced begging. A growing number of female victims from Nigeria and China are abused for sexual exploitation, some in massage parlors and brothels. Many victims transit through Austria to other European countries.

AZERBAIJAN: TIER 2

The Government of Azerbaijan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Azerbaijan remained on Tier 2. The government demonstrated increasing efforts by establishing a new victim assistance center to provide specialized support services and maintaining good cooperation with civil society at the other victim assistance center. The government increased funding to civil society to organize awareness campaigns and funded an NGO to provide training to local police on victim identification. However, the government did not meet the minimum standards in several key areas. Law enforcement lacked an understanding of trafficking and victim-centered approaches. First responders did not consistently follow standard operating procedures (SOPs) and made minimal efforts proactively identifying Azerbaijani victims of internal trafficking, including children. The Ministry of Internal Affairs (MIA)-run shelter often did not accommodate victims who did not cooperate with law enforcement and the government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services.



RECOMMENDATIONS FOR AZERBAIJAN

Vigorously investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; increase proactive identification efforts, particularly for internal trafficking, forced labor, and children; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and advanced training on trafficking investigations and prosecutions; respond to NGO referrals of potential trafficking victims by investigating alleged crimes and providing appropriate victim services; train first responders, including law enforcement, immigration, and social services personnel, on proactive victim identification and inform relevant actors on formal identification procedures; allocate adequate funding to NGO-run shelters providing victim support services; strengthen the capacity of the Labor Inspectorate to identify and refer victims of forced labor; improve coordination and communication among government agencies, including for victim referrals and potential cases; and target public awareness campaigns to foreign migrant workers, describing indicators of human trafficking and avenues to seek help.

PROSECUTION

The government maintained law enforcement efforts. The 2005 Law on the Fight against Trafficking in Persons and article 144 of the criminal code criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment, which are sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 29 cases with 33 suspects (26 cases in 2016): 25 were for sex trafficking and four were for forced labor cases (22 sex trafficking and four forced labor cases in 2016). The government prosecuted 29 defendants (36 in 2016). Courts convicted 29 traffickers (28 in 2016): 25 for sex trafficking and four for forced labor (28 sex traffickers in 2016). Three traffickers received prison sentences between one to five years and 26 traffickers received sentences between five to 10 years.

MIA maintained an Anti-Trafficking Department (ATD) that led most trafficking investigations. Observers reported law enforcement lacked an understanding of trafficking and the capacity to investigate trafficking, particularly law enforcement outside of Baku. Experts reported most investigations were reactive and over reliant on victim testimony. Additionally, observers reported a lack of victim-centered approaches within law enforcement, including media reports of local police and prosecutors insulting and dismissing a potential trafficking victim who attempted to self-identify. ATD held 32 trainings on trafficking issues. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained victim protection efforts. The government identified 71 trafficking victims (70 in 2016); 66 female victims of sex trafficking and five male victims of forced labor (69 female sex trafficking victims and one male forced labor victim in 2016). The government did not identify any child victims in both 2016 and 2017. Sixty-eight victims were Azerbaijanis and three were foreign victims (one foreign victim in 2016). The government had SOPs for victim identification but first responders, including law enforcement, immigration, and social services personnel, were either unaware of the procedures or did not consistently follow and understand them. SOPs required first responders to refer potential victims within 24 hours to ATD, who officially recognized victims based on an investigation. NGOs and the government provided support services to some potential victims; however, individuals without official recognition did not receive the one-time government-provided allowance and did not have the ability to bring a civil claim against the alleged traffickers. Civil society referred six potential trafficking victims to ATD (466 potential victims in 2016) but ATD determined none to be victims in both 2016 and 2017; civil society members noted ATD did conduct adequate review of referred cases in making such determinations in 2017. Observers reported minimal efforts to proactively identify Azerbaijani victims of internal trafficking, including children; as a result, all officially identified victims were foreign victims exploited in Azerbaijan or Azerbaijani victims repatriated from foreign countries, likely reflecting an overemphasis on transnational movement. The government-funded an NGO to provide training workshops for local police on how to identify and assist trafficking victims.

The government allocated 150,530 *manat* ($88,030) for victim protection, compared to 154,000 *manat* ($90,060) in 2016. The MIA-run trafficking-specific shelter provided accommodation, financial assistance, legal assistance, and medical and psycho-social support; 65 officially recognized victims and six potential victims received support at the MIA-run shelter (63 officially recognized victims and seven potential victims in 2016). The MIA-run shelter had separate areas for women, men, and children but limited freedom of movement for victims and required victims to submit an application to leave the shelter. Observers reported the MIA-run shelter generally did not accommodate victims who did not cooperate with law enforcement. The Victim Assistance Center (VAC) in Baku provided legal, psychological, medical, and employment assistance to officially recognized and potential trafficking victims. ATD referred 68 victims to the VAC and civil society referred 28 potential victims to the VAC. The VAC provided 44 officially recognized victims with medical aid, 52 with psychological assistance, and 53 with legal aid. The government also provided 21 officially recognized victims and potential victims with employment and 10 with vocational training. The government established a new VAC in Goychay to provide specialized rehabilitation services to trafficking victims. Civil society reported good cooperation with the VAC and praised their reintegration services. The government did not provide funding to NGO-run shelters despite relying heavily on their victim support and reintegration services to 41 victims (40 victims in 2016). NGOs remained severely underfunded and restrictive legislation governing foreign grants limited NGOs' ability to receive funding from foreign donors. Most NGO-run shelter staff who provided support services during the reporting period worked on a voluntary basis. The State Migration Service (SMS) issued temporary residence permits for two victims from Russia and one victim from Ukraine.

PREVENTION

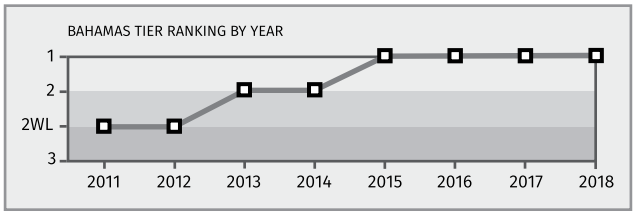
The government maintained prevention efforts. The national coordinator led the implementation of the national action plan (2014-2018) and coordinated government wide anti-trafficking efforts; however, lack of cooperation between agencies hindered interagency coordination. The government awarded 104,000 *manat* ($60,820) to fund 16 proposals from civil society for awareness campaigns, compared to 71,000 *manat* ($41,520) in 2016. The government also conducted awareness campaigns targeting youth and students. The government publicly released an annual assessment of the country's anti-trafficking efforts, including prosecution data and protection efforts. SMS helped 378 stateless persons obtain identification documents and Azerbaijani citizenship, and legalized residency for 2,500 irregular migrants. The government did not report measures to reduce the demand for commercial sex or forced labor. A presidential decree in 2015 prevented the labor inspectorate from conducting spontaneous employment inspections, which restricted proactive investigations and victim identification efforts. In 2017, the government extended the suspension period of labor inspections until 2021.

TRAFFICKING PROFILE

As reported over the past five years, Azerbaijan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Azerbaijani men and boys are subjected to forced labor in Turkey, Russia, the United Arab Emirates (UAE), and Azerbaijan. Women and children from Azerbaijan are subjected to sex trafficking within the country as well as in Malaysia, Turkey, Russia, Pakistan, and the UAE. Azerbaijan is a destination country for sex and labor trafficking victims from Ukraine, China, Russia, Turkmenistan, and Uzbekistan. In previous years, Azerbaijan has been used as a transit country for victims of sex and labor trafficking from Central Asia to the UAE, Turkey, and Iran. Within the country, some children, including those of Romani descent, are subjected to forced begging and forced labor as roadside vendors and at teahouses and wedding facilities. Filipino women have been subjected to domestic servitude in Azerbaijan.

THE BAHAMAS: TIER 1

The Government of The Bahamas fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore The Bahamas remained on Tier 1. The government demonstrated serious and sustained efforts by securing its first conviction since 2015. The government also screened more potential trafficking victims, increased funding for victim assistance, and collaborated with foreign countries on investigations. Although the government meets the minimum standards, it identified fewer victims and was inconsistent with implementation of screening procedures for vulnerable populations. Credible allegations of corruption raised concerns about vulnerabilities to potential trafficking victims during the reporting period.



RECOMMENDATIONS FOR THE BAHAMAS

Increase efforts to prosecute, convict, and appropriately punish traffickers; increase implementation of the victim identification and referral protocol to identify victims of sex and labor trafficking, especially among vulnerable groups; increase training for judges on a victim-centered approach and provide victims alternatives to in-person cross-examination in court; increase grassroots outreach to potential trafficking victims among vulnerable groups, in partnerships with NGOs; continue to provide all identified victims with adequate protection and assistance; appoint a secretariat to oversee all anti-trafficking efforts; strengthen engagement with officials involved in anti-trafficking activities in other countries in the region; begin drafting a new anti-trafficking national action plan; develop and provide anti-trafficking training to diplomatic personnel; and continue to implement a nationwide public awareness campaign to educate the public and officials about human trafficking and its manifestations in The Bahamas, including the distinction between trafficking and smuggling.

PROSECUTION

The government increased law enforcement efforts. The Trafficking in Persons (Prevention and Suppression) Act 2008 criminalized sex and labor trafficking and prescribed penalties ranging from three years to life imprisonment. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, alleged ongoing corruption within the Immigration Department remained a concern, as it created vulnerabilities for potential trafficking victims.

Authorities initiated 12 new investigations (two labor trafficking and 10 sex trafficking) involving 60 potential victims, compared with 11 new investigations involving 37 potential victims in 2016. Authorities ultimately determined only one of these cases (involving one victim) to constitute trafficking. Authorities initiated two prosecutions, compared to one in 2016, and continued three prosecutions from previous years. The government recorded its first conviction since 2015 and sentenced the convicted trafficker to 21 years imprisonment. The Magistrate's Court acquitted three alleged traffickers prosecuted in the previous reporting period; the government's appeal of those acquitted was withdrawn due to lack of sworn witness testimony. Government officials funded and delivered training to over 200 police officers, 165 immigration officers, and a number of community members including family service employees, church leaders, and school health nurses, on the Bahamian anti-trafficking law, trafficking indicators, and both victim identification and assistance. The government continued work with an international organization and four governments to finalize a law enforcement cooperation agreement. The government cooperated with two governments on trafficking investigations during the reporting period, with one leading to the reported conviction of a Bahamian national.

PROTECTION

The government maintained limited efforts to protect victims. Authorities continued to implement a formal victim-centered protocol to guide front-line responders in identifying both sex and labor trafficking victims and referring them to services. However, concerns remained on the thoroughness of their application when dealing with vulnerable populations, such as migrants. The national trafficking commission funded and trained member agencies and ministries in their roles in identifying and protecting victims and making referrals. During the reporting period, the government screened 60 potential trafficking victims and identified one victim, compared with screening 37 potential victims and identifying five victims in 2016. The identified victim received an immigration certificate, government-funded housing, and medical, psychological, legal, and reintegration assistance.

The government reported spending approximately 82,060 Bahamian dollars ($82,060) on trafficking victims' care—which included assisting victims' children and continued funding for trafficking victims from prior reporting periods—compared to 59,450 Bahamian dollars ($59,450) in 2016. The government also provided subsidies of 240,000 Bahamian dollars ($240,000) to four NGOs that provide services to trafficking victims, among other vulnerable groups. The government granted one foreign victim relief from deportation. Migrants remained vulnerable to rapid arrest and summary deportation by Royal Bahamian Defense forces without proper trafficking screening, and ineffective screening of other vulnerable populations for indicators of trafficking, such as those in prostitution, may have led to arrests of victims. Authorities encouraged trafficking victims to assist in prosecutions by providing lodging, food, a stipend, clothing and other basic necessities, medical assistance and psychological counseling, immigration relief, legal assistance, support during court proceedings, and witness protection, which may include police protection as needed. Government assistance was not contingent upon cooperation by victims. Bahamian law permits victim testimony via live television links and for the reading of written statements into evidence; however, in 2016, a magistrate acquitted three traffickers in part because the victims could not be cross-examined. The identified victim during the reporting period chose to assist with the investigation and prosecution of their cases. The anti-trafficking act authorized the court to order convicted defendants to pay restitution to victims; however, such restitution was not ordered in 2017.

PREVENTION

The government maintained prevention efforts. The inter-ministerial committee to coordinate anti-trafficking policy met monthly, as did the government's anti-trafficking task force, which was charged with operational coordination on cases. The government did not make public any assessments of its anti-trafficking efforts. The government continued a campaign to educate students, vulnerable populations, faith communities, the public, and government officials about trafficking, including pamphlets in English and Creole, public service announcements on television and radio, and video shared via social media. The government partnered with NGOs to implement its comprehensive 2014-2018 national anti-trafficking strategy and detailed action plan. The government dedicated finances and resources to implement the plan.

The Department of Labor raised awareness in the business community, distributed pamphlets about labor trafficking and workers' rights, advised potential job seekers about potential

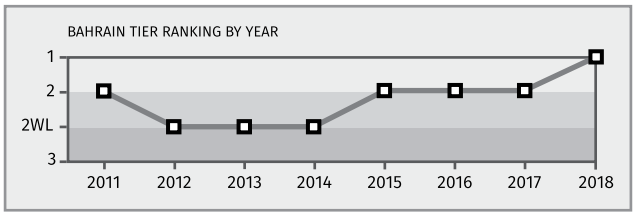
fraud in the cruise ship industry, and screened for indicators of trafficking when inspecting work sites. The Department of Labor did not continue a past practice of sending informative letters to foreign nationals with work permits and advising employers of the prohibition against document retention. The government conducted awareness efforts targeted at potential clients of prostitution and conducted random inspections of businesses, including strip clubs and bars, to identify sex trafficking. Authorities did not consider child sex tourism to be a problem in The Bahamas and reported no such investigations, although it developed a special pamphlet on child trafficking, trained tourism officials, and placed pamphlets in tourism information booths. The government did not provide anti-trafficking training to its diplomatic personnel. While no trafficking-specific hotline exists, the Ministry of Social Services and an NGO maintained hotlines for victims of abuse.

TRAFFICKING PROFILE

As reported over the past five years, The Bahamas is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Migrant workers, especially those from Haiti, Jamaica, the Dominican Republic, Costa Rica, Cuba, Colombia, Venezuela, and the Philippines, are recruited through false offers of employment, such as through advertisements in foreign newspapers; upon arrival, traffickers subject them to sex trafficking and forced labor, including domestic servitude and in sectors with low-skilled labor. Children born in The Bahamas to foreign-born parents who do not automatically receive Bahamian citizenship, and individuals involved in prostitution and exotic dancing are vulnerable to trafficking. Traffickers previously confiscated victims' passports with greater regularity, but more recently they have victims retain their documents in case they are questioned by law enforcement.

BAHRAIN: TIER 1

The Government of Bahrain fully meets the minimum standards for the elimination of trafficking. The government made key achievements during the reporting period; therefore Bahrain was upgraded to Tier 1. These achievements included the government's first conviction of a Bahraini national for forced labor and first conviction of a complicit government official. The government began implementing a new nation-wide referral mechanism, and it identified and provided care to more than 30 trafficking victims. It also took concrete steps to reform the sponsorship system by introducing a program to allow some undocumented workers to self-sponsor, and it launched standardized tripartite labor contracts for domestic workers. Officials developed and facilitated anti-trafficking awareness campaigns across the country, and continued to inform all incoming migrant workers of their rights under Bahraini law. Although the government meets the minimum standards, it did not criminally investigate as potential trafficking crimes cases of unpaid or withheld wages, passport retention, and analogous abuses—indicators of forced labor, which it handled administratively as labor law violations. Its law enforcement efforts are disproportionately focused on sex trafficking, as it seldom investigated, prosecuted, or convicted cases of forced labor. Although the government strengthened protections for domestic workers, cultural norms regarding privacy within Bahraini households and limited access of labor inspectors to access domestic worksites hampered implementation of existing laws and institutional reforms in some cases.



RECOMMENDATIONS FOR BAHRAIN

Increase efforts to investigate, prosecute, and convict traffickers, particularly cases involving forced labor or allegedly complicit officials; expand and fully implement reforms to the sponsorship system; vigorously investigate and prosecute potential trafficking cases involving passport retention and non-payment of wages as trafficking crimes; continue to implement formal procedures to identify trafficking victims among vulnerable groups, such as domestic workers, migrant workers, and women in prostitution; continue to implement the national referral mechanism to refer identified victims to protection services; amend flexible work permit provisions to ensure flexible work permit holders have the same labor protections as other workers; expand and actively enforce labor law protections for domestic workers; strengthen training for officials on the anti-trafficking law and victim identification; continue to conduct national anti-trafficking awareness campaigns, strategically targeting migrant and domestic workers.

PROSECUTION

The government increased its law enforcement efforts. The anti-trafficking law, Law No.1 of 2008, criminalized sex and labor trafficking. It prescribed penalties ranging from three to 15 years imprisonment, plus a fine of between 2,000 and 10,000 Bahraini dinar ($5,310-$26,530) and the cost of repatriating the victim(s), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Article 325 of the penal code prescribed imprisonment of two to seven years for forced prostitution and three to 10 years if the victim was a child.

The Ministry of Interior (MOI) reported investigating 31 potential trafficking cases during the reporting period, all of which involved sexual exploitation of adult females, compared to 29 investigations the previous reporting period. Of the 31 investigations, officials referred 18 for prosecution, compared to 25 referred the prior year. One sex trafficking prosecution with two defendants remained ongoing from the previous year. It convicted and sentenced seven sex traffickers from Bahrain, Russia, and Bangladesh to between five and 10 years imprisonment plus fines between 2,000 and 5,000 Bahraini dinar ($5,310-$13,260); in 2016, the government convicted and similarly sentenced three traffickers. For the first time, officials convicted a Bahraini national of forced labor involving a Filipina domestic worker, from a case initially investigated during the previous reporting period. In September 2017, the High Criminal Court sentenced, under the anti-trafficking law, a police officer to five years in prison and a fine of 2,000 Bahraini dinar ($5,310), for accepting bribes from traffickers and using his position of authority to preclude any investigations of the sex trafficking ring—the first known case of a government official being held criminally accountable for complicity in a trafficking crime. The government also arrested and initiated

prosecution of a former police officer who used his position and connections with hotels and residential buildings to collude with a Colombian woman to lure women to Bahrain through social media under false pretenses of high salaries in legitimate jobs over a five-year timeframe; the prosecution remained ongoing at the close of it. Local press reported one additional instance of a former police officer who facilitated the exploitation of sex trafficking victims by assisting an Indian businessman with running a prostitution ring out of his hotel.

The government typically treated cases of unpaid or withheld wages, passport retention, and analogous abuses that are indicators of forced labor administratively as labor law violations rather than routinely investigated for trafficking crimes. The public prosecutor received referrals from the Labor Market Regulatory Agency (LMRA) of four recruitment agencies allegedly involved in forced labor. Eight prosecutorial personnel received anti-trafficking training via the Judicial and Legal Studies Institute. Officers and MOI personnel continued to receive annual, mandatory anti-trafficking training at the Royal Academy for Police.

PROTECTION

The government increased efforts to protect victims, specifically the vulnerable domestic worker population. It identified 31 adult trafficking victims during the reporting period; it did not report identifying any victims the previous year. The government continued to employ standard procedures to identify potential trafficking victims, but in May 2017, the National Committee to Combat Trafficking in Persons (NCCTIP)—in cooperation with two international organizations—officially launched its government-wide National Referral Mechanism (NRM) to streamline the proactive identification of trafficking victims, ensure proper documentation of cases, effectively refer cases to the MOI and public prosecutor's office for an official determination as a trafficking case, and provide adequate protective provisions to victims until case resolution or voluntary repatriation. During the reporting period, the government distributed the 30-page, bilingual English-Arabic NRM booklets to all relevant ministries and nongovernmental stakeholders. The LMRA reportedly received direct referrals of 516 potential victims from a variety of sources, including the NCCTIP's hotline, police stations, other government entities, and foreign embassies. The LMRA's Expatriate Protection Unit (EPU) provided all 516 individuals—some of whom were trafficking victims—with shelter, food, clothing, medical care, religious support, psycho-social counseling, rehabilitation, familial reunification, translation assistance, legal counsel, and repatriation or job placement in Bahrain. The EPU continued to oversee the safe house and shelter for both male and female workers, regardless of their legal status in the country. It also maintained onsite offices for medical and mental health professionals and a representative from the police anti-trafficking unit, and provided a training room for training shelter residents and a conference space for the NCCTIP. Embassies of labor-sending countries reported they temporarily housed some victims who refused to go to the EPU or were unable to reach it. In 2017, the NCCTIP allocated 200,000 Bahraini dinar ($530,500) for the establishment of a victim assistance fund from which trafficking victims are entitled to a small grant to help them reestablish themselves either in Bahrain or in their home country, as well as monthly compensation in the event their presence in Bahrain was court-mandated to conclude a criminal trial.

Labor Law No.36 of 2012 established some protections for domestic workers, requiring employers to provide a labor contract specifying working hours, annual leave, and bonuses, and to pay workers at least monthly. Multiple agencies cited difficulties conducting unannounced inspections of domestic worker accommodations and investigating allegations of abuse in the absence of an official complaint, due to cultural norms surrounding privacy in homes, which may have left some victims at risk of exploitation and without protective provisions. In December 2017, the government officially launched and publically gazetted standardized tripartite labor contracts for domestic workers. The LMRA provided all 130 registered recruitment agencies in Bahrain with copies of the new contract, which required domestic workers to sign, prior to their arrival, a comprehensive work agreement that unequivocally outlined labor rights and employment obligations. The new unified contract took effect in January 2018 and aims to strengthen protections for domestic workers by requiring employers to declare the nature of the job, hours to be worked, and salary, among other critical information. For the first time, this allowed domestic workers brought in by recruitment agencies to accept or reject an employment contract in their respective countries of origin, and the LMRA maintained copies of the contracts to assist in any future labor disputes.

There were no reports victims were punished for crimes committed as a direct result of their being subjected to trafficking. Bahraini officials provided full assistance to trafficking victims regardless of their willingness to participate in investigations and court proceedings of their traffickers. The government reported it shared with all victims a full evaluation of their cases and their legal right to restitution in the event of a conviction. Victims were permitted to testify in person, via written correspondence, video recording, a closed-circuit live video, or in private. NGOs reported workers who entered the country illegally or under pretenses did not routinely benefit from Bahraini legal protections. Some migrant workers who fled abusive situations chose not to contact police to report the abuse due to being a "free visa" holder—laborers in violation of the local labor law because they are working for a non-sponsor employer after leaving the employment of the sponsor that facilitated their entry into the country. The labor law allows foreign workers to change sponsors during investigations and court proceedings; the government did not report how many workers transferred employment during the year. Workers infrequently filed complaints against employers due to distrust of the legal system, protracted court processes, inability to afford legal representation, lack of interpretation and translation services, concern over potential loss of residence permits during proceedings, and fear of additional maltreatment due to employer reprisal. The government did not report how many third country nationals it repatriated to their countries of origin during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. It took concrete steps to reform the sponsorship system particularly for workers who are currently undocumented. In July 2017, the LMRA launched a "flexible work permit" program to legalize undocumented workers while simultaneously permitting previously exploited and illegal laborers to self-sponsor, thereby commencing a shift away from the sponsorship-based employment system. By allowing higher marketplace flexibility, stronger protections for workers' rights, and improved workplace environs, this new permit program allows up to 2,000 expatriates to apply every month to reside and work in Bahrain without needing a sponsor, after which successful applicants can work any job with any employer on a full-or

part-time basis, negotiate wages and working hours directly, and secure multiple jobs concurrently with varying employers. Currently domestic workers, workers who have absconded from their employers, and all classes of workers with valid work permits are not eligible to apply for the program. Some NGOs and source country embassies have expressed concern that unskilled workers may be dissuaded from participation in the program due to its relatively high cost of 449 Bahraini dinar ($1,190); however, the costs included a two-year work permit, health care coverage for both years, a refundable deposit for travel tickets, and an extension of residency permits. At the close of the reporting year, more than 2,200 individuals obtained a "flexi" work permit.

Passport retention was a crime punishable under Article 395 of the Bahraini penal code. It was a crime to limit or otherwise control any person's freedom of movement in accordance with Article 19(b) of the constitution of Bahrain. Laborers may file a grievance for passport withholding with the police or LMRA; a worker may also register a complaint to the court directly if the employer refuses to return the passport. The government typically treated indicators of forced labor—cases of unpaid or withheld wages, passport retention, and analogous abuses—administratively as labor law violations and resolved through arbitration rather than routinely investigated for trafficking crimes; however, if arbitration was unsuccessful a worker could file a grievance against the employer in a labor court. In 2017, the government reported closure of three recruitment agencies and revocation of their licenses for contravening Bahraini labor law, and cancelled 17 additional agency licenses for non-compliance with LMRA regulations. The LMRA's Enforcement and Inspection Department employed 70 inspectors in enforcement of employment violations responsible for worksite inspections. The LMRA and the Ministry of Justice, in partnership with an international organization, trained more than 170 individuals—including journalists, source country labor attaches, social workers, judges, prosecutors, and labor inspectors—over the course of five separate, multi-day workshops focused on trafficking.

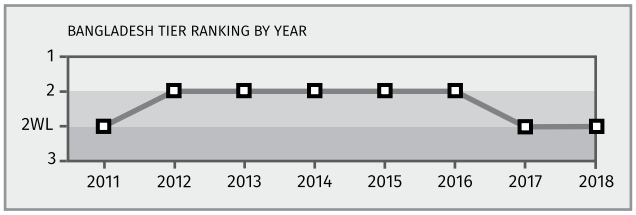
The NCCTIP's budget during the year was 500,000 Bahraini dinar ($1.3 million) for operations and 376,000 Bahraini dinar ($997,350) for awareness and outreach programs, roughly equivalent to 528,300 and 265,000 Bahraini dinar ($1.4 million and $702,920), respectively, the year prior. The government launched an awareness campaign in both local and expatriate communities in Bahrain, involving youth of various nationalities, schools, religious institutions, and foreign embassies. In partnership with an international organization, the NCCTIP held a workshop targeting media personnel to enhance their understanding of trafficking, more accurately report on such issues, and improve the overall role of the media in combating the crime. Also during the reporting period, Bahraini officials participated in a two-day workshop, organized by the General Federation of Bahrain Trade Union, to discuss regulatory mechanisms germane to domestic workers in the region. A quasi-governmental organization produced a campaign to prevent companies from illegally withholding their employees' passports. The LMRA continued to provide booklets outlining labor rights in 13 languages common among expatriate worker populations, and distributed them upon arrival at the Bahrain International Airport and LMRA when applying for initial or renewed residency cards. The NCCTIP hotline was active to both collect reports and serve as a resource to educate workers about their rights and available services in Hindi, Telugu, Sinhalese, Tamil, Urdu, Malayalam, Arabic, and English. In 2017, the hotline received 5,388 calls, most of which pertained to labor rights, advice on workplace situations, and miscellaneous requests; it was unclear how many calls constituted instances or indicators of trafficking, but officials identified one trafficking victim and investigated an unknown number of cases as a direct result of the hotline. The government had memoranda of understanding (MOUs) with several labor exporting countries, including Nepal, Sri Lanka, Pakistan, and India, which focused on oversight of recruitment agencies and protection of migrant workers in Bahrain. The government did not make discernable efforts to reduce the demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Bahrain is a destination country for men and women subjected to forced labor and sex trafficking. Men and women, primarily from Bangladesh, India, Pakistan, Philippines, Nepal, Egypt, Jordan, Yemen, Thailand, Syria, and Kenya, among other countries, migrate voluntarily to Bahrain to work as semi-skilled or unskilled laborers in the construction and service industries. In recent years, and particularly during the current reporting period, the greatest influx of workers hailed from Bangladesh, and the Bangladeshi population represented the majority of undocumented workers. Some migrant workers are subjected to forced labor in Bahrain; indicators include passport retention, strict confinement, contract substitution, non-payment of wages, debt bondage, threats or intimidation, and physical or sexual abuse, which preclude employees from reporting instances of exploitation. Nationals of countries without diplomatic presence in Bahrain are particularly vulnerable to trafficking, as are domestic workers, who are only partially protected under Bahraini labor law and cultural norms and existing legal infrastructure avert private home inspection. During the reporting period, local press reported women from Russia, Thailand, and Colombia were recruited to Bahrain via social media platforms or Bahrain-based acquaintances with false pretenses of high-paying jobs and subsequently forced into prostitution. Government and NGO officials report physical abuse and sexual assault of female domestic workers are significant problems in Bahrain, and domestic workers hailing from African countries are increasingly susceptible to labor exploitation and arrive in Bahrain through direct recruitment by local employers. Many migrant workers are paired with employers through intermediaries in Bahrain and unlicensed recruiters in their respective countries of origin, in addition to back-and-forth movement between Saudi Arabia and Bahrain via the causeway as Saudi nationals are able to sponsor foreign workers in Bahrain. Some migrant workers are not in possession of their employment contracts and are generally unfamiliar with the employment terms contained therein. Some unscrupulous employers continue to lure migrant workers to Bahrain and release them illegally in the labor market under the "free visa" scheme—laborers who work for a non-sponsor employer after leaving the employment of the employer who sponsored their entry into the country in violation of the local labor law—thereby rendering them vulnerable to exploitation. Although currently under reform, Bahrain's sponsorship-based employment system continues to put some workers at risk of trafficking by restricting employees' ability to change employers or leave the country, and by giving employers the unilateral power to cancel residency permits.

BANGLADESH: TIER 2 WATCH LIST

The Government of Bangladesh does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting two officials allegedly complicit in human trafficking. The government investigated alleged trafficking crimes against Rohingya refugees and arrested some of the perpetrators, while also establishing humanitarian aid and security that may contribute to the prevention of some trafficking crimes. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Courts convicted only one trafficker in 2017—a decrease from 2016 and a low number compared with the scale of the trafficking problem. Official complicity in trafficking crimes remained a serious problem and the government did not report taking action against some credible allegations. While the government retained a court-order mechanism to refer trafficking victims to rehabilitation services, the government reported referring only one victim to such care in 2017 and it did not have a broader referral mechanism encompassing all relevant stakeholders. The government's protection services, when acquired, were neither designed for trafficking victims' specific needs nor available for adult male victims. While the government maintained labor export agreements with several countries intended to regulate recruitment fees, the government continued to allow high recruitment fees and did not consistently address illegally operating recruitment sub-agents, which left workers vulnerable to trafficking. Therefore Bangladesh remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR BANGLADESH

Take steps to eliminate recruitment fees charged to workers by licensed labor recruiters and ensure they are paid by employers; increase prosecutions and convictions, particularly of labor traffickers, fraudulent labor recruiters, and complicit government officials, while strictly respecting due process; proactively incorporate forced labor and sex trafficking prevention measures into the response to the Rohingya refugee crisis; increase investigations and prosecutions of credible allegations of trafficking of Rohingya; establish guidelines for provision of adequate victim care and standard operating procedures for the referral of victims to such services; enhance the training provided to officials, including law enforcement, labor inspectors, and immigration officers, on methods to identify trafficking cases and refer victims to protection services; expand the support services available to victims, including adult male victims, within Bangladesh and at Bangladesh's embassies abroad; expand the Ministry of Expatriate Welfare and Overseas Employment's (MEWOE) mandate to include the regulation of sub-agents; improve quality of pre-departure trainings, including sessions on labor rights, labor laws, and methods to access justice and assistance in destination countries and Bangladesh; complete the draft 2018-2022 National Plan of Action (NPA) and allocate funding to and identify a senior governmental official to facilitate the implementation of the NPA; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2012 Prevention and Suppression of Human Trafficking Act (PSHTA) criminalized sex and labor trafficking and prescribed penalties of five years to life imprisonment and a fine of not less than 50,000 Bangladeshi Taka (BDT) ($610). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In the previous reporting period, the government finalized and disseminated the implementing rules for the PSHTA. The government continued to train police officers through an anti-trafficking module at the police academy. The government also provided in-kind support to international organization- and NGO-run trainings for police and immigration officials. While the government reported 50,780 police officers were trained on human trafficking through a total of 148 programs in 2017, it did not report if police and other relevant officials received training on the PSHTA implementing rules. Various observers stated police officers did not understand human trafficking and, at times, conflated it with migrant smuggling.

The government did not report comprehensive data under the same law enforcement actions as in past years, thereby making past data incomparable. In 2017, the government reported 778 cases were recorded with police under the PSHTA, of which 496 remained under investigation at the end of the year. Of the 282 completed investigations, 86 cases were unsubstantiated and 196 cases resulted in charges against the accused, although the government did not report the number of prosecutions initiated during the year nor did it categorize the cases between sex and labor trafficking as it had in the past. In 2016, the government investigated 290 cases—122 sex and 168 labor trafficking cases, 31 of which were specifically investigated for bonded labor—and prosecuted 302 alleged traffickers under the PSHTA. In 2017, the courts reached verdicts in nine cases and convicted one trafficker, compared with three convictions in 2016. The other eight cases resulted in acquittal. The courts sentenced the convicted trafficker to life imprisonment.

Observers stated convictions remained rare because the government did not dedicate sufficient resources to pre-trial investigations in all types of cases and prosecutors persisted with trials to meet the statutorily required timeline of 180 working days for the disposal of cases even if they were inadequately prepared. The government also had not established the anti-human trafficking tribunal, stipulated in the PSHTA to specialize in human trafficking cases. The Women and Children Violence Protection Tribunal continued to hear trafficking cases in the interim; however, observers commented the prosecutors were overburdened and lacked expertise in trafficking cases. An NGO expressed concern that some village courts, five-person panels of local government officials and villagers, adjudicated trafficking cases as they only administer financial penalties of up to 75,000 BDT ($915) and may have subjected victims, whose traffickers frequently had local connections, to intimidation, fraud, and corruption. During the reporting period, nearly 700,000 Rohingya, of which over half were women and children, fled Burma to Bangladesh. The government reported it arrested some traffickers attempting to exploit Rohingya refugees, although it did not report specific numbers of alleged traffickers arrested

or if they were prosecuted. Media reported the government deployed the Rapid Action Battalion to investigate allegations of trafficking and mobile courts to process legal cases. An international organization trained Bangladeshi law enforcement officers assigned to the refugee camps on the prevention of trafficking and the identification and subsequent protection of victims.

Complicity of officials in trafficking offenses remained a serious problem. Observers reported police took bribes and sexual favors to ignore potential trafficking crimes at brothels. Observers accused officials from district employment and manpower offices of facilitating trafficking and some labor attaches, local politicians, judges, and police of requesting bribes from victims and their families. Observers stated some traffickers in rural areas were politically connected and therefore operated with impunity. According to NGOs, some local politicians convinced victims to accept payment from recruitment sub-agents to not report fraudulent or exploitative actions to police. In September 2016, a federal court in New York entered a default judgment against a former Bangladeshi consular officer and his wife and ordered them to pay approximately $920,000 to a Bangladeshi citizen in a civil suit in which the plaintiff alleged violations of the TVPA as well as federal and state labor laws. The consular officer left the United States and remained in the Bangladeshi foreign service as an ambassador. The default judgment remained unpaid while the case was on appeal. During the reporting period, the plaintiff alleged experiencing retaliatory actions by the Bangladesh Consulate in New York. In another case, in June 2017, a Bangladeshi consular officer was indicted in a New York court on charges of labor trafficking and assault for allegedly forcing a Bangladeshi citizen to work without pay through threats and intimidation. In January 2018, the consular officer pled guilty to the charge of failure to pay a minimum wage and paid $10,000 in restitution to the victim. The government did not report taking any action during the reporting period to hold either consular officer accountable. The government reported that two government officials were investigated and prosecuted under the PSHTA in 2017 but did not provide further details of the case; the prosecution remained ongoing at the end of the reporting period.

PROTECTION

The government maintained victim protection efforts. The Ministry of Home Affairs (MHA), the government's lead agency for combating trafficking, had standard operating procedures (SOPs) for the proactive identification of trafficking victims; however, the government did not report how widely officials disseminated or used these SOPs. Some police officers used a checklist to proactively identify victims when they came into contact with commercial sex establishments; however, the government did not formally adopt or disseminate the checklist and its use was inconsistent. The government did not report victim identification data based on substantiated cases of trafficking as it had in the past, thereby making past data incomparable. The government reported 770 potential victims based on the number of cases recorded with police in 2017; of those identified, 383 were men, 258 women, and 129 children. The government identified 355; 1,815; and 2,899 victims in 2016, 2015, and 2014, respectively; experts commented the decrease from thousands of victims identified in 2015 and 2014 may be due in part to the application of a more accurate definition of trafficking. Police directly recovered from exploitative situations 545 of the 770 potential victims identified in 2017. NGOs and international organizations reported identifying more than one thousand victims during the reporting period. Notably, one international organization identified 37 Rohingya victims who were subjected to trafficking within Bangladesh and provided them rehabilitation services. The Bangladesh Army and Rapid Action Battalion reportedly were active in the identification of potential Rohingya victims of trafficking.

While the government did not provide services specifically designed for trafficking victims, the Bangladesh Police operated victim support centers in each of Bangladesh's eight divisions for women and children victims of violence, including trafficking victims. The centers provided temporary shelter for up to five days and medical and psychological counseling. With partial funding from a foreign government, the Ministry of Social Welfare (MSW) operated one-stop crisis centers at medical facilities for women and children victims of violence, including trafficking victims, to provide shelter, medical care, psychological counseling, and referral to other services, including legal assistance and police for case filing. MSW operated nine one-stop crisis centers at the divisional level and 40 smaller centers at the district and 40 at the sub-district levels. The government did not provide shelter or rehabilitation services, other than repatriation and job placement, to adult male victims. Foreign victims were not provided access to government services. While the government retained a court-order mechanism to refer trafficking victims to rehabilitation services, it did not have a broader referral mechanism to refer victims to rehabilitation services. In 2017, the government reported referring only one victim to government or NGO-run services and reported all other victims were returned directly to their families. Some NGOs reported the government referred victims to them for rehabilitation during the reporting period, but such referrals were ad hoc and the government did not track victim care in a systematic way. NGOs provided male victims with some services, although shelter was not available. NGOs continued to state government services did not meet minimum standards of care and insufficient rehabilitation resources contributed to victims being re-trafficked. Government shelters did not allow victims to leave without a court order and a court order was also required for NGOs or international organizations to be able to contact victims in government shelters to provide further rehabilitation services.

The government continued to implement its 2015 memorandum of understanding with the Government of India on human trafficking, which included coordination on the rescue and repatriation of Bangladeshi victims. In practice, NGOs reported the Bangladeshi government sometimes provided only the necessary travel documents for repatriation. NGOs or the victim's family frequently paid the cost of repatriation from India and other countries and at times this resulted in family members incurring burdensome debt. The government continued to operate one safe house in Lebanon, one in Oman, and three in Saudi Arabia for female Bangladeshi workers fleeing abusive employers. The government maintained 29 labor offices in embassies and consulates overseas to provide welfare services to Bangladeshi migrant workers, including legal and interpretation services. Overseas Bangladeshi workers who secured their employment through the Bureau for Manpower, Education, and Training (MEWOE), could lodge complaints with MEWOE to seek restitution for labor and recruitment violations, including allegations of forced labor, through an arbitration process, although observers stated the awards were often minimal. MEWOE reported 344 complaints were settled from July 2016 to June 2017 through the recovery of 297,300 BDT ($3,630) from recruiting agencies; it did not report if any of these complaints involved forced labor. Victims could also file civil suits seeking restitution.

The PSHTA entitled victims to protection during judicial proceedings, including police security. The government did not report if it provided such protection to victims during the reporting period and NGOs noted insufficient implementation of this provision resulted in traffickers intimidating victims not to pursue cases. NGOs reported some Bangladeshi trafficking victims who transited through various land and sea routes, instead of being detected as victims, were detained and fined for failure to carry a passport. Unregistered Rohingya refugees, including potential trafficking victims, may have been at risk of indefinite detention because of their lack of documentation. The government did not provide legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution.

PREVENTION

The government maintained efforts to prevent trafficking. The 2013 Overseas Employment and Migrants Act (OEMA) criminalized fraudulent recruitment and unlawful recruitment fees; however, the government-set recruitment fees were at rates high enough to render many migrant workers indebted and vulnerable to trafficking. Under the OEMA in 2017, MEWOE suspended or cancelled 29 recruitment agencies' licenses, fined 12 agencies, and sentenced four agents to imprisonment ranging from 15 days to three months for false advertising, trading in visas or work permits, charging fees above the legal maximum, or other violations of the OEMA. MEWOE reported its vigilance task force conducted 14 operations in 2017 against corrupt recruitment and travel agencies, and dalals, illegal and unregulated sub-agents who operated in rural locations and connected prospective migrant workers to licensed employment agencies. The Bangladesh Association of International Recruiting Agencies (BAIRA) acknowledged migrant workers frequently paid dalals fees in addition to the legal amount BAIRA agents charged before the worker began the formal recruitment process. Dalals also directly connected workers to overseas jobs by providing fake visas and other documentation, and in some cases, incorrect information about the migration process and the job in the destination country. Observers stated overseas work placement was determined by a migrant worker's ability to pay for the job, not by skills or abilities, and frequently resulted in workers paying as much as five times above the government's maximum fee level.

The government continued to use a number of bilateral labor agreements, in part intended to try to protect Bangladeshi workers abroad. In 2017, the government sent more than half a million workers to Saudi Arabia, approximately 15 percent of whom were female workers, under an agreement that mandated employers cover travel costs and domestic workers be employed by a third party rather than the private households in which they work. However, the agreement did not stipulate the maximum cost or eliminate the processing fee charged to the migrant by recruitment agencies. NGOs reported female migration to Saudi Arabia through irregular channels was as high as three times the official figure and media reported multiple stories of women paying dalals fees for work only to be told by their employer in Saudi Arabia and other Gulf states that the employer had "purchased" the woman and she was now subject to forced labor. In the previous reporting period, the governments of Bangladesh and Malaysia began to implement an inter-governmental agreement to facilitate the migration of Bangladeshi workers to Malaysia. The agreement aimed to mitigate the impact of private recruitment agencies' high fees and sometimes unscrupulous practices for an initial 5,300 Bangladeshi workers by removing agents from the migration process. The government continued to require pre-departure training, including safe migration and anti-trafficking components, for some migrant workers, including a 30-day pre-departure training course for female domestic workers which focused on learning practical skills and included modules on trafficking awareness and self-protection. The government provided safe migration information through its 42 district employment and manpower offices and 47 technical training centers.

MHA acknowledged the government's 2015-2017 national action plan had not been fully implemented. In partnership with an international organization, the government began drafting its plan for 2018-2022. MHA did not publish its annual report on human trafficking during the reporting period. Some district- and sub-district level counter-trafficking committees allocated funding for coordination and victim support while others were not functioning. The government continued to conduct national awareness campaigns through print media, television, and text message, at times in partnership with NGOs.

The government began the process of biometric registration for Rohingya refugees and allowed the UN, international organizations, and foreign governments to provide assistance and protection to the refugees. While some international NGOs that assist Rohingya refugees and work with organized labor reported difficulties in meeting stringent government administrative requirements to get visas and approvals required to carry out programs protecting vulnerable populations from various forms of exploitation, the government allowed other NGOs to extend their ability to stay in the country to continue relief efforts for the Rohingya, including some counter-trafficking efforts. The government allowed the UN and other humanitarian actors to conduct trafficking awareness campaigns in the Rohingya camps. The government deployed security forces to guard and control access to Rohingya camps which may have contributed to the prevention of some trafficking crimes.

The government trained military personnel to recognize and prevent trafficking in persons prior to their deployment abroad on international peacekeeping missions and provided anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Bangladesh is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Bangladesh is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Some Bangladeshi men and women who migrate willingly to work in the Middle East, Southern and East Africa, South and Southeast Asia, Europe, and the United States face conditions indicative of forced labor. Before their departure, many migrant workers assume debt to pay high recruitment fees, imposed legally by recruitment agencies belonging to BAIRA and illegally by unlicensed sub-agents; this places migrant workers at risk of debt bondage. Some recruitment agencies and agents also commit recruitment fraud, including contract switching, in which they promise one type of job and conditions but then change the job, employer, conditions, or salary after arrival. Women and girls who migrate for domestic work are particularly vulnerable to abuse. Some women who migrate through Bangladeshi recruitment agencies to Lebanon or Jordan for domestic work are sold and transported to Syria and subjected to forced labor and sex trafficking. Some women and children are subjected to

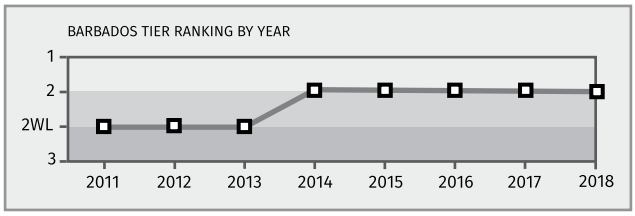
sex trafficking and forced labor in India and Pakistan.

With nearly 700,000 Rohingya fleeing Burma for Bangladesh since August 2017, Bangladesh is host to more than 1 million undocumented Rohingya, including hundreds of thousands who fled Burma in previous decades. The Rohingya community's stateless status and inability to work legally increases their vulnerability to human trafficking. Rohingya women and girls are reportedly recruited from refugee camps for domestic work in private homes, guest houses, or hotels and are instead subjected to sex trafficking. Rohingya girls are also reportedly transported within Bangladesh to Chittagong and Dhaka and transnationally to Kathmandu and Kolkata and subjected to sex trafficking—some of these girls are "traded" between traffickers over the internet. Some Rohingya women and girls report being subjected to sex trafficking by other Rohingya through fraudulent job or marriage proposals. Rohingya girls and boys are recruited from refugee camps to work as shop hands, fishermen, rickshaw pullers, and domestic workers in Bangladesh. Although promised monthly wages ranging from 1,500-2,000 BDT ($18-$24), these children are paid significantly less or not at all and in most cases are not allowed to communicate with their families and are subjected to excessive working hours. Some Rohingya men are subjected to debt bondage by Bangladeshi fishermen if they place their shelter on the fishermen's land. Some Rohingya men who fled to Bangladesh from Burma decades ago have been trapped in debt bondage to Bangladeshi fishermen for 20 years. In the recent past, some Rohingya and Bangladeshi migrants who traveled by boat to Southeast Asian countries were subjected to exploitation when they were unable to pay ransoms and were instead sold into forced labor.

Within the country, Bangladeshi children and adults are subjected to sex trafficking, domestic servitude, and forced and bonded labor, in which traffickers exploit an initial debt assumed by a worker as part of the employment terms. Street children are sometimes coerced into criminality or forced to beg; begging ringmasters sometimes maim children to increase their earnings. In some instances, children are sold into a form of bondage by their parents, while others are induced into labor through fraud and physical coercion, including in fisheries, domestic work, aluminum factories, and garment and dry-fish production, or exploited in sex trafficking. Bangladeshi children are vulnerable to forced labor in tanneries. According to an international expert on debt bondage, Bangladeshi families and Indian migrant workers are subjected to bonded labor in some of Bangladesh's brick kilns; some kiln owners sell bonded females into prostitution purportedly to recoup the families' debts and some Bangladeshi families are subjected to debt bondage in shrimp farming. Some ethnic Indian families are forced to work in the tea industry in the northeastern part of the country. NGOs allege some officials allow human traffickers to operate at brothels, at India-Bangladesh border crossings, and at maritime embarkation points.

BARBADOS: TIER 2

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Barbados remained on Tier 2. The government demonstrated increasing efforts by conducting a raid on a nightclub suspected of trafficking, providing anti-trafficking training for government officials and NGO leaders, and conducting public awareness campaigns. The government, across its interagency, conducted education and training through senior and working level commitments to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government identified no victims during the reporting period, initiated no new prosecutions for the fourth consecutive year, and had yet to secure a trafficking conviction. For the third consecutive year, the government did not complete its national action plan or an anti-trafficking manual for interviewing and providing assistance for suspected trafficking victims. Government agencies reported a lack of resources for their anti-trafficking activities. The government's anti-trafficking law did not provide penalties that were commensurate with other serious crimes.



RECOMMENDATIONS FOR BARBADOS

Proactively screen for trafficking indicators and identify victims in vulnerable populations and areas, such as among migrants; while respecting due process, investigate, prosecute, and convict traffickers, and apply stringent sentences that deter future trafficking crimes; enact a national action plan to combat trafficking; provide adequate funding to implement the national action plan and support government agencies' anti-trafficking activities; complete the anti-trafficking manual for interviewing and assisting victims; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; establish adequate accommodations and service provisions for trafficking victims; and amend the Recruiting of Workers Act to specify the government agency that should assume responsibility for the associated administrative and enforcement functions of labor recruiters.

PROSECUTION

The government maintained prosecution efforts. The Trafficking In Persons Prevention Act (TIPPA), enacted in 2016, criminalized sex and labor trafficking. The punishment for adult trafficking was up to 25 years imprisonment, a fine of up to 1 million Barbados dollars (BDS) ($495,050), or both. The punishment for child trafficking was up to life imprisonment, a fine of up to 2 million BDS ($990,100), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape.

Authorities conducted five investigations in 2017 (compared with three in 2016, six in 2015, eight in 2014, and three in 2013). One of these investigations stemmed from a raid on suspected trafficking activities in a nightclub (compared with two raids in 2016). Police found no evidence of human trafficking in these five investigations. There were no new prosecutions initiated under the TIPPA during the reporting period; the government has not reported initiating a prosecution since 2013. A 2013 case involving two suspected traffickers remained pending before the court. To date, the government has not convicted any

traffickers. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government provided per diem support for two law enforcement, one immigration, and one civil servant official to attend INTERPOL anti-trafficking training abroad. In addition, the police continued sensitization training on trafficking for 120 front-line officers; immigration officials trained 50 front-line immigration officers.

PROTECTION

The government decreased efforts to protect victims. Officials did not identify any trafficking victims during the reporting period; this compared with eight victims identified in 2016 and 12 in 2015. Since 2014, the government has been drafting an anti-trafficking manual to outline procedures for law enforcement or immigration to use when interviewing suspected trafficking victims, as well as guidelines for NGOs regarding victim assistance. Government officials did not have a date for the manual's completion or release, and they were not implemented during the reporting period. A formal referral process for government authorities and NGOs existed for victim care, as required by law. The gender affairs bureau was designated to coordinate assistance with local NGOs. There was no shelter on Barbados specifically for trafficking victims. Female trafficking victims could reside at the NGO-operated women's domestic shelter on the island; however, this shelter did not have the resources for, and previously struggled to assist, trafficking victims. The government had a separate agreement with an NGO to provide accommodations to male victims. Child victims would be placed under the care of the Child Care Board, which was represented on the government's anti-trafficking task force. The government maintained an informal policy allowing foreign victims to receive temporary legal status as an alternative to their removal to countries where they would face hardship or retribution; the minister of national security can authorize victims, on a case-by-case basis, to remain and work in the country.

The TIPPA authorized the government to provide safeguards for victims' identities and those of their families, issue work permits, and provide transportation and security during legal proceedings. Government policy permitted victims to leave the country and return for hearings. The TIPPA provided victims with the right to pursue restitution from a trafficker after a conviction; however, there were no restitution cases because no cases had reached conviction. The government provided partial financial assistance for a regional workshop organized by an outside consultant on good practices in victim identification, which trained representatives from the Barbadian police, immigration, labor, and gender affairs. All agencies cited a lack of resources, particularly financial, which hampered anti-trafficking efforts.

PREVENTION

The government maintained its prevention efforts. The attorney general led the government's anti-trafficking task force, which met monthly and included permanent secretaries from several ministries. The task force's primary accomplishment this year was to offer a comprehensive training and workshop for law enforcement, immigration officials, and members of non-profit organizations held in Barbados in February 2018. The Government of Barbados, recognizing that there are constraints on their national budget, worked with an external consultant and funder, to organize and offer the training. The training represented one of the most overarching interagency and civil society engagements to date: immigration, labor, education, police, NGOs, health, foreign affairs, information service and the child care board participated. Participants in the training discussed regional coordination as well and began working on the formulation of standard operating procedures based on lessons from regional partners, as presented by a longstanding anti-trafficking and law enforcement official from The Bahamas. The government did not finalize its national anti-trafficking action plan, the draft of which covers 2016 through 2020, but is working through its anti-trafficking task force to advance the plan. The government did not report funding levels for anti-trafficking efforts, although agencies cited a lack of resources, particularly financial, which hampered anti-trafficking efforts. The government was unable to conduct formal monitoring or data collection efforts during 2016 or 2017 due to budgetary constraints. The labor department regulated recruitment agencies under the Recruiting of Workers Act. According to government officials, however, the law did not identify the agency that should assume responsibility for the associated administrative and enforcement functions.

The government, in conjunction with NGOs, conducted 10 public awareness campaigns, which focused on both trafficking victims and on the demand for trafficking. These included spots on a local radio station, a mock UN Session during which students discussed human trafficking awareness, and presentations at various secondary schools. Additionally, participants in the February training from the Ministry of Education worked with a local NGO, Women of Purpose, to create a targeted outreach campaign to women over the radio focused on prevention and awareness to marginalized communities. Authorities, however, stated a need for a media campaign to increase awareness (print and electronic media), resources to develop an effective multi-media anti-trafficking product, and training to enable law enforcement and other government agencies to better identify victims of trafficking.

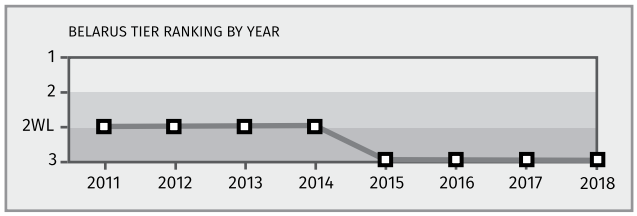
TRAFFICKING PROFILE

As reported over the past five years, Barbados is a source and destination country for women and children subjected to sex trafficking. Contacts report foreign women have been forced into prostitution in Barbados. Legal and undocumented immigrants from Jamaica and Guyana are especially vulnerable to trafficking, although individuals from additional countries in the Caribbean and South America are increasingly vulnerable. There are anecdotal reports by contacts that children are subjected to sex trafficking, including by parents and caregivers. Previously, traffickers operated as part of an organization; more recently, they appear to operate individually. Authorities have noted an increased use of social media as a means of recruiting victims.

BELARUS: TIER 3

The Government of Belarus does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Belarus remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including actively engaging in multilateral efforts to combat trafficking, and repealing a 2015 presidential decree that required unemployed persons to pay a tax to the state or face compulsory community service. However, the government maintained policies that actively compelled the forced labor of its citizens, including civil

servants, students, part-time workers, and the unemployed, citizens suffering from drug or alcohol dependency, and, at times, critics of the government, among others. For the fifth consecutive year, authorities did not convict any traffickers under the trafficking statute.



RECOMMENDATIONS FOR BELARUS

Reform state policies to end all forms of state-sponsored forced labor, including repealing presidential decrees and other laws that result in the unemployed, civil servants, students, and citizens suffering from drug or alcohol dependency, among others, being subjected to forced labor; amend the criminal code to remove the possibility of forced labor as a penalty for political dissent; significantly increase efforts to investigate and prosecute cases of forced labor and sex trafficking; amend article 181 to include exploiting children younger than 18 to engage in commercial sex as a trafficking crime, regardless of evidence of coercion, as prescribed by international law; increase resources devoted to trafficking victim assistance and protection within Belarus, including for state-owned territorial centers for social services and for NGOs; provide child sex trafficking victims with services specialized to their needs and refer all identified victims to care facilities; train all relevant officials on the national identification and referral mechanism; proactively screen all individuals in prostitution for indicators of trafficking; and increase labor inspections to identify internal forced labor.

PROSECUTION

The government's law enforcement efforts remained weak. Article 181 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties ranging from five to seven years imprisonment and forfeiture of assets, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 181 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The government reported one sex trafficking investigation in 2017 under article 181, compared with one in 2016, one in 2015, one in 2014, and six in 2013. Authorities initiated one investigation under article 181-1, which criminalized the use of forced labor, compared with no cases in 2016 and one in 2015. The Main Department for Drug Control and Combating Trafficking in Human Beings led law enforcement efforts and reported 69 officers directly involved in combating and investigating trafficking and related offenses. The government did not convict any traffickers under article 181; the last conviction was in 2012. Authorities prosecuted three individuals for potential child sex trafficking offenses under other articles in the criminal code in 2017, compared with four individuals in 2016 and six in 2015. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The interior ministry's law enforcement academy continued to provide trafficking-specific training to Belarusian law enforcement and NGO officials.

PROTECTION

The government maintained victim protection efforts. The government identified two confirmed and 129 potential trafficking victims during law enforcement investigations, compared with 184 confirmed and potential victims in 2016 and 121 in 2015. Of the 131 confirmed and potential victims the government identified in 2017, 127 victims, including 26 children, were sexually exploited. The government reported referring 60 victims to NGOs for reintegration services, compared with 55 in 2016 and 27 in 2015. NGOs reported law enforcement officials referred 134 victims to international organizations and NGOs for care, compared with 27 in 2015 and 32 in 2014; NGOs stated this increase was due to improved cooperation with law enforcement across the country. The government reported training police officers and diplomats on victim identification and referral procedures. According to a GRETA report, authorities did not identify some victims who had initially consented to perform a certain job or service in which they were later exploited; identification procedures did not specify the consent of victims was irrelevant when there was the presence of force, fraud, or coercion. The government reported screening individuals arrested for prostitution for trafficking indicators and exempting them from any legal liability; the government reported that of the 1,298 individuals convicted on prostitution charges in 2017, none were trafficking victims.

The government provided in-kind assistance to anti-trafficking NGOs in the form of facilities for seminars, conferences, and training; expedited approval of projects and grants; and tax-exempt status. The government did not provide financial support for NGOs. NGOs reported assisting 137 trafficking victims in 2017, 22 of whom were children, compared with 279 victims assisted in 2016. An international organization providing victim services experienced a six-month gap in anti-trafficking program funding due to a lapse of international donor funding, which resulted in fewer identifications. The government did not have trafficking-specific facilities available to care for victims, but local authorities operated 128 "crisis rooms" that offered temporary shelter, including beds, meals, and personal hygiene products to vulnerable adults, including victims of natural and manmade disasters, domestic violence, and human trafficking. In 2017, the Ministry of Labor and Social Welfare, which monitored "crisis rooms" operations, adopted a new regulation that allowed victims seeking immediate assistance to shelter at a "crisis room" without a form of identification. The hours of operation were expanded from weekdays only to 24-hours a day. The government reported that three trafficking victims used these facilities.

In previous years, observers reported most victims sought assistance at private shelters because the government's centers were poorly equipped and lacked qualified caregivers. The education ministry maintained centers that could provide vulnerable children with shelter and basic provisions; however, similar to past years, no child trafficking victims had received services at these facilities, despite the government identifying child sex trafficking victims. The government reported providing medical care and information to 45 potential trafficking victims.

PREVENTION

The government maintained efforts to prevent trafficking. The government conducted public awareness campaigns through television, radio, and print media, and provided

in-kind assistance to anti-trafficking NGOs in the form of advertising hotlines, production assistance, and placement of awareness-raising materials on state-owned television, radio, and billboards. The interior ministry continued to operate a hotline for safe travel abroad to inform potential labor migrants and identify illegal recruitment practices; the hotline received 1,166 calls for consultations in 2017. The government did not investigate or file charges related to illegal recruitment in 2017, compared to 50 companies charged in 2016; forced labor regulations were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal and inadequate to deter violations. The government adopted the 2017-2019 State Program on Countering Crime and Corruption, which included anti-trafficking activities, in May 2017. The government reported efforts to reduce the demand for commercial sex.

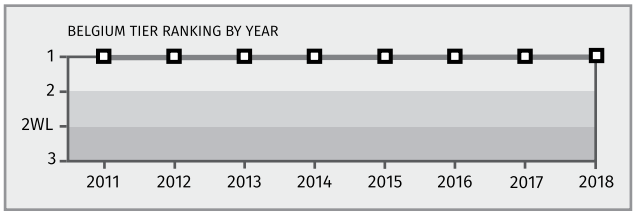
TRAFFICKING PROFILE

As reported over the past five years, Belarus is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Data collected by NGOs suggests the majority of trafficking victims are men subjected to labor exploitation, primarily in Russia. Belarusian victims are primarily subjected to trafficking in Russia and Belarus, as well as in Poland, Turkey, and other countries in Eurasia and the Middle East. Some Belarusian women traveling for foreign employment in the adult entertainment and hotel industries are subjected to sex trafficking. The government has identified Belarusian, Moldovan, Russian, Ukrainian, and Vietnamese victims exploited in Belarus.

State-sponsored forced labor continues to be an area of concern, and the UNHRC adopted a resolution in July 2015 expressing deep concern at the government's "violations of labor rights amounting to forced labor," among other human rights issues. In January 2018 the government rescinded Presidential Decree Number 3, the so-called "parasite tax," which required unemployed persons to pay a fee to the state or potentially face compulsory community service. Presidential Decree Number 1 was simultaneously adopted with the rescindment of Decree Number 3. According to media reports, the president described Decree Number 1 as intended to "help people find employment while forcing the unemployed who are unwilling to work into jobs." The new presidential decree will be fully enforced on January 1, 2019. In June 2016, the government repealed a 2012 decree preventing state workers in wood processing from leaving their jobs without employer approval and subjecting them to significant fines; failure to pay those fines placed employees at risk of having to work under law enforcement supervision. The ILO Committee of Experts reported a 2010 law allows for Belarusians suffering from alcoholism or drug dependencies to be "interned in 'medical labor centers' for a period of 12 to 18 months and have an obligation to work; refusing to work results in punishment, such as solitary confinement, for up to ten days." As of June 2015, an estimated 6,700 people were held at these centers. The government continued the practice of *subbotniks*, which requires employees of the government, state enterprises, and many private businesses to work on occasional Saturdays and donate their earnings to finance government projects. The UN Special Rapporteur on the situation of human rights in Belarus reported repercussions for non-participation in *subbotniks*, including non-renewal of employment contracts and the revocation of monthly bonuses. State employers and authorities also intimidate and fine some workers who refused to participate. Authorities require university and high school students to help farmers during the harvesting season without paying them for their labors, in addition to other forced community service projects. Authorities reportedly force military conscripts to perform work unrelated to military service. Per a 2006 presidential decree, parents who have had their parental rights removed are subjected to compulsory labor, and the government retains 70 percent of their wages. The ILO Committee of Experts noted its deep concern in 2016 that some provisions of the Belarusian criminal code, which included forced labor as possible punishment, are worded broadly enough to lend themselves to application as a means of punishment for the expression of views opposed to the government. The ILO Committee of Experts cited reports that the government used or threatened to use arbitrary detention involving compulsory labor for apparently political motives.

BELGIUM: TIER 1

The Government of Belgium fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Belgium remained on Tier 1. The government demonstrated serious and sustained efforts by strengthening the national referral protocol for child trafficking victims and victims of domestic servitude, and by mandating trafficking trainings for judicial officials who were on the career track to become magistrates and judges. Although the government meets the minimum standards, its appropriation mechanism for NGO-run shelters caused severe delays in disbursing funding. The government provided limited legal representation for victims, and sentences for convicted traffickers were often suspended. Law enforcement required more training on victim identification and freezing suspected traffickers' assets.



RECOMMENDATIONS FOR BELGIUM

Allocate regular and timely funding for NGO-run shelters for trafficking victims; vigorously investigate, prosecute, convict, and sentence traffickers with imprisonment; increase resources to assist unaccompanied child victims; increase seizure of traffickers' assets in order to compensate victims and further penalize the perpetrators; enhance training of relevant professionals to increase the number of trafficking victims identified, including child victims; increase legal representation for victims; increase efforts to reduce the demand for forced labor and international child sex tourism by Belgian nationals traveling abroad; revise the definition of human trafficking under Belgian law to more closely align with the definition in the 2000 UN TIP Protocol; and provide disaggregated prosecution and conviction data for cases involving force, fraud, or coercion.

PROSECUTION

The government maintained law enforcement efforts. Belgium criminalized sex and labor trafficking through a 2005 amendment to the 1995 Act Containing Measures to Repress Trafficking in Persons. The prescribed penalties ranged from one to 20 years

imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Belgium's definition of trafficking in persons was broader than the definition in the 2000 UN TIP Protocol. The failure of an employer to meet prevailing wage, hours, and working conditions can constitute "exploitation" under Belgian law, and these cases were included in the government's prosecution data. Contrary to the definition of trafficking under international law, coercion is considered an aggravating factor rather than an integral part of the base offense for adults. Belgian law did not require evidence of any form of coercion to secure a trafficking conviction. GRETA reported the overbroad definition may lead to confusion between trafficking and other criminal offenses and possible difficulties in mutual legal assistance with foreign governments that used a definition more consistent with the UN TIP Protocol.

In 2017, the government prosecuted 328 defendants, compared to 324 in 2016, including 176 defendants for sex trafficking offenses, 116 for labor trafficking, 18 for forced criminality, and 18 for forced begging (184 for sex trafficking, 126 for forced labor, and 14 for forced criminality in 2016). Authorities convicted and sentenced 105 individuals under the trafficking statute, including 223 counts of aggravating circumstances, compared with 125 in 2016. The majority convicted received no prison time or a partially or fully suspended prison sentence. The government sentenced 84 convicted under the trafficking statute to prison terms (of which 41 were suspended or partially suspended), compared to 113 prison sentences (79 of which were suspended or partially suspended) in 2016; seven offenders were sentenced to one year, 43 were sentenced to one to three years, 19 were sentenced to three to five years, and 15 were sentenced to five years or more. GRETA reported the police gave lower priority to trafficking cases; resources were prioritized toward counterterrorism, and a judicial district reform reduced the numbers of federal police and prosecutors specialized in trafficking within each district. In 2017, the government convicted eight members of the Emirati royal family for human trafficking and degrading treatment of their domestic workers and sentenced each to 15 months in prison (fully suspended) and a €165,000 ($198,080) fine (half of the sum suspended). The government trained police, lawyers, and judges who handled trafficking cases on advanced investigations and collection and preservation of evidence. Each judicial district appointed a magistrate to specialize in trafficking who stood available as a resource to their district. The government's national training center provided basic trafficking training to federal police officers, as well as advanced training for officers specializing in cases of labor and sexual exploitation. A government official noted police who trained at provincial-level centers, rather than at the national training center, did not likely receive trafficking training. One NGO posited judges needed increased training. The government mandated trafficking trainings for judicial officials who were on the career track to become magistrates and who may eventually become judges. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government participated in international investigations and cooperated with extradition requests during the reporting period.

PROTECTION

The government increased efforts to protect victims. In 2017, the government identified and assisted 137 victims (including 61 victims of labor trafficking, 59 victims of sex trafficking, and 17 victims of other forms of exploitation), compared to 144 victims in 2016 (including 69 victims of labor trafficking, 56 victims of sex trafficking, seven victims of forced criminality, and 12 victims of other forms of exploitation). First responders followed formal written procedures on proactive victim identification; however, government officials and GRETA reported challenges in accurately identifying child victims. NGOs reported a need for greater training among general police officers on understanding the indicators of trafficking and identifying victims. The government trained staff at asylum centers on identifying and assisting trafficking victims in migrant populations. The government published a revised victim identification and national referral protocol, which contained new guidance on identifying victims of domestic servitude in diplomatic households and child trafficking victims. While NGOs referred many victims to the shelters, most victims were identified by law enforcement, social workers, and medical professionals. Conditions existed in order to qualify for victim status; victims must have broken off all contact with traffickers, and agreed to counseling at a specialized trafficking shelter.

The government's victim protection infrastructure was based on three specialized NGO-run shelters, which were allocated approximately €428,000 ($513,810) each in 2017, compared with €430,000 ($516,210) in 2016. The NGO-run shelters also received unspecified amounts of funding from regional governments. NGO-run shelters provided psycho-social, medical, and legal care and were open to all victims regardless of gender, immigration status, or nationality. Despite the government's complete reliance on these three NGO-run shelters for the majority of victims' services, NGO-run shelters carried the perennial administrative burden of requesting funding each year from different levels of government (region, community, federal), often with severe delays in receiving the appropriation. The government also funded two shelters for children; child trafficking victims shared these facilities with victims of other crimes. GRETA reported the government's child safety services lacked sufficient capacity to accommodate unaccompanied child victims. The government reportedly did not penalize identified victims for unlawful acts committed as a direct result of being subjected to trafficking; however, victims who were not properly identified, particularly child sex trafficking victims, were vulnerable to such penalization.

The government granted most identified foreign victims residence and employment permits and protective services; suspected trafficking victims could receive a reflection period, which granted them 45 days to receive services while they decided whether to work with law enforcement. If they decided to make a formal complaint, they could receive a three-month residence permit that provided them the right to work. If a public prosecutor confirmed the individuals were trafficking victims, they could receive a six-month residence and work permit, renewable until the end of criminal case. Victims who were not citizens of EU member states could obtain permanent residency only upon the successful prosecution and sentencing of traffickers. During the year, the government issued or renewed 235 residence permits to trafficking victims, compared with 216 in 2016. Although government-supported NGOs provided some legal representation to victims, such support was reduced due to a lack of steady funding. Government-appointed pro bono lawyers could be provided to victims who had a monthly income less than €1,200 ($1,440). GRETA reported the high costs of legal representation discouraged victim cooperation in criminal proceedings. Civil society reported difficulty in obtaining damages for victims, usually because perpetrators made themselves insolvent ahead of trials; NGOs recommended investigators receive more training on freezing assets in the pre-

trial stage. Belgium maintained a fund for victims of violence, but victims of labor trafficking reportedly found it difficult to access this fund.

PREVENTION

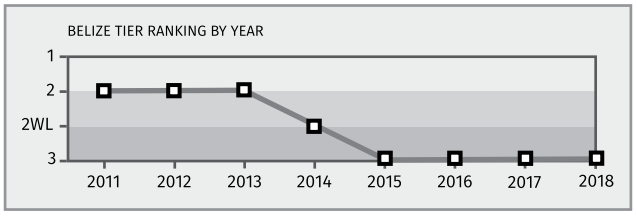
The government maintained efforts to prevent trafficking. The Inter-Departmental Coordination Platform (ICP), chaired by the Minister of Justice, continued to coordinate government-wide anti-trafficking efforts and monitored the implementation of the national action plan for 2015-2019. Representatives of the three government shelters were also included in the ICP. The Federal Migration Center (Myria), an independent public body, served as the secretariat for the ICP as well as the independent rapporteur and produced its own annual report on governmental anti-trafficking efforts. Myria assessed government-reported trafficking data as not standardized, making it difficult to analyze efforts and policy. The government continued awareness campaigns targeting businesses, hospitals, schools, and vulnerable populations, but had not conducted any large-scale public awareness campaigns in recent years. Awareness-raising flyers were available in the consular sections of Belgian embassies and consulates abroad. The government did not make efforts to reduce the demand for commercial sex acts during the year; however, the government continued to implement programs to reduce the demand for forced labor, such as a widely used program that subsidized the wages of maids and domestic assistants. The government maintained a system to prevent the exploitation of domestic employees of foreign diplomats. Each of the three government-funded shelters operated a 24/7 victim hotline.

TRAFFICKING PROFILE

As reported over the past five years, Belgium is a destination, transit, and limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims come primarily from Eastern Europe and North and Sub-Saharan Africa, among them Romania, Morocco, India, and Nigeria. Male victims are subjected to forced labor in restaurants, bars, sweatshops, horticulture, fruit farms, construction, cleaning businesses, and retail shops. Belgian girls, some of whom are recruited by local pimps, and foreign children—including Roma—are subjected to sex trafficking within the country. Forced begging within the Romani community in Belgium also occurs. Foreign workers are subjected to forced domestic servitude, including in the diplomatic community assigned to Belgium.

BELIZE: TIER 3

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Belize remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including the identification of 17 potential trafficking victims and the investigation of nine trafficking cases. However, the government did not begin any new prosecutions or convict any traffickers. The government did not investigate or prosecute any public officials for complicity in human trafficking-related offenses, despite allegations of a significant level of official complicity. During raids on commercial sex establishments, authorities uncovered few trafficking crimes due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials. Victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking.



RECOMMENDATIONS FOR BELIZE

Implement the anti-trafficking law by vigorously investigating and prosecuting suspected sex and labor traffickers, including complicit officials, and imposing adequate penalties on convicted traffickers; consistently implement formal procedures to identify victims of sex and labor trafficking among vulnerable groups and refer identified victims to services; ensure trafficking victims are not penalized for crimes committed as a direct result of trafficking; provide specialized victim care, directly and in partnership with NGOs, and increase efforts to reintegrate victims; update and implement the national anti-trafficking plan; investigate and prosecute child sex tourists; amend laws to criminalize the knowing solicitation and patronizing of sex trafficking victims, including children; increase efforts to prevent and detect forced labor through the national labor recruiter registry; and provide training to diplomatic personnel.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2013 Trafficking in Persons (Prohibition) Act criminalized sex and labor trafficking and prescribed penalties of a minimum of eight years imprisonment for the trafficking of adults and a minimum of 12 years imprisonment for the trafficking of children, which were sufficiently stringent, and with regard to sex trafficking, commensurate with other serious crimes, such as rape. The 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalized the facilitation of prostitution of children younger than 18. This law, however, did not prohibit adults from engaging in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there was no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government reportedly investigated nine trafficking cases—three for forced labor and six for sex trafficking—compared to 10 in 2016, but for the third consecutive year did not initiate any new prosecutions. Authorities continued two prosecutions from 2015. The government did not convict any traffickers for the second consecutive year. Observers reported that a lack of communication and coordination between law enforcement and prosecutors hindered law enforcement efforts. The government did not provide detailed information on the pending investigations or prosecutions.

Law enforcement activity against suspected trafficking resulted from government agency and NGO referrals as well as raids on brothels. Despite having created a specialized police anti-trafficking unit in 2017, authorities uncovered few trafficking crimes due to limited intelligence-gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials. The government attempted, but was unable to end the practice of

allowing off-duty police officers to provide security for brothels, which may have inhibited police from investigating allegations of trafficking in brothels and may have dissuaded victims from reporting trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government cooperated with two foreign governments, which resulted in the arrest of traffickers in their country of origin. The government provided limited funding to NGOs for anti-trafficking efforts, provided anti-trafficking training to some law enforcement and immigration officers, and law enforcement and prosecutors attended workshops financed and delivered by foreign governments and international organizations.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 17 potential victims in 2017—14 foreign nationals and three Belizeans; six adult females, two adult males, and nine minor females—compared to 12 potential victims in 2016. Although the government reported law enforcement, immigration officials, and social service providers used formal written procedures to identify victims, officials did not consistently follow these procedures in practice. Belize's anti-trafficking law exempted victims from punishment for crimes committed as a result of being subjected to trafficking; however, victims identified in raids of commercial sex establishments were arrested, jailed, or deported for immigration violations or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking. Social service providers were not routinely present to screen, identify, and assist victims during law enforcement operations and raids on commercial sex establishments. The government said it screened 156 individuals for trafficking indicators during immigration operations with social workers ready to assist potential victims. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers. The government provided training to immigration officials, law enforcement, and social workers on victim identification and referral.

The government reported the Department of Human Services coordinated and funded shelter, medical, and psychological services to adult victims and potential victims during pending criminal proceedings generally provided by private parties, while children were placed in foster homes. Experts noted deficiencies in the foster care system, to include a lack of education about human trafficking for some foster parents, uneven coordination and communication between government agencies and foster parents, and limited availability of psycho-social care for victims. However, the government said the support offered by foster families led to a successful conviction in 2016 and empowered victims. The government provided 200,000 Belizean dollars ($100,000) to the Ministry of Human Development for the human trafficking response, which included funding for victim services, public awareness-raising, and the national anti-trafficking council. The government encouraged victims to assist in investigations by providing witness protection, confidentiality, and coordinating lodging and services. Court delays and fear of retaliation by traffickers may have led foreign national victims to decline or withdraw cooperation with law enforcement and return to their home countries. While the government had a policy to grant temporary residency status to foreign national victims willing to cooperate in investigations or prosecutions, it did not provide any victims this benefit in 2017, and anecdotal evidence suggested victims were often deported. Victims could apply for work permits free of cost, but the government did not grant any such permits in 2017.

PREVENTION

The government maintained minimal prevention efforts. The government reported it developed a 2016-2017 national anti-trafficking action plan with approximately 14 objectives. While it made progress by creating a specialized anti-trafficking police unit and formalizing the national ant-trafficking council, the remainder of the plan remained largely unimplemented. The government also reported authorities began developing a 2018-2020 plan during the reporting period. The government, in partnership with an NGO, raised awareness of the indicators of trafficking and a "crime stoppers" hotline number through billboards in English and Spanish. Radio and television broadcasters aired public service announcements to raise awareness about trafficking and sex tourism in English, Spanish, and Hindi. The national anti-trafficking council met quarterly, hired a permanent coordinator, and developed awareness-raising materials with the hotline number, including t-shirts, bags, bumper stickers, pens, and wristbands for distribution at health fairs and other public events. An NGO operated the "crime-stoppers" hotline, which was not trafficking-specific but could field trafficking-specific calls, although it did not receive any during the reporting period. Authorities continued to disseminate public service announcements on child sexual exploitation and the links between tourism and the demand for commercial sex, but did not investigate, prosecute, or convict any child sex tourists. The government revised its policy relating to foreign workers, which included prohibitions on the hiring of foreign workers in domestic service, bars and nightclubs, restaurants, caregiving, and construction, among others, to address identified vulnerabilities to trafficking in these sectors. The government reported the labor code required labor recruiters to register, but none had done so. The government did not provide anti-trafficking training for its diplomatic personnel.

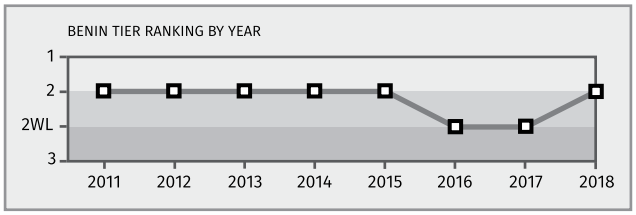
TRAFFICKING PROFILE

As reported over the past five years, Belize is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. In tourist regions, foreign child sex tourists, primarily from the United States, exploit child sex trafficking victims. Sex trafficking of Belizean and foreign women and girls and LGBTI persons, primarily from Central America, occurs in bars, nightclubs, and brothels. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and are often exploited by traffickers who recruit victims using false promises of relatively high-paying jobs or take advantage of migrants' illegal status to subject them to forced labor. Some migrants are subjected to forced labor in restaurants, shops, agriculture, and fishing or to sex trafficking. Alleged trafficking-related complicity by government officials remains a problem.

BENIN: TIER 2

The Government of Benin does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated

increasing efforts compared to the previous reporting period; therefore Benin was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more child traffickers, identifying more child trafficking victims, and establishing formal procedures for the identification and referral of children vulnerable to abuse, including trafficking. The government introduced screening procedures at airports to identify adult victims traveling abroad and increased coordination with neighboring countries to prevent transnational trafficking of adults, resulting in the identification of 16 potential adult victims. The government established a formal inter-ministerial committee and developed a national action plan to address all types of trafficking—including adults—in collaboration with NGOs and international organizations. However, the government did not meet the minimum standards in several key areas. Current laws do not explicitly criminalize the trafficking of adults and provisions in the revised draft penal code, which would have addressed this omission, remained pending in the National Assembly. Deficiencies in the legal framework resulted in judges dismissing cases or reducing charges in adult trafficking cases. The government made limited efforts to identify adult victims or refer them to services.



RECOMMENDATIONS FOR BENIN

Enact legislation to criminalize all forms of trafficking consistent with the 2000 UN TIP Protocol; increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children, including illegal labor recruiters; develop systematic procedures for proactive victim identification—particularly of adults and victims of forced labor—and their subsequent referral to care; train law enforcement officials on identification and referral procedures; increase funding to the Central Office for the Protection of Minors (OCPM) to provide adequate support to victims, including adults; improve efforts to collect law enforcement data on trafficking offenses and victim identifications, including adults; finalize the pending bilateral agreement with Gabon and multilateral agreements with Togo, Burkina Faso, and Nigeria to increase information sharing and cooperation on international trafficking investigations; use the 2011 bilateral anti-trafficking agreement with the Republic of The Congo to increase law enforcement coordination; and expand the OCPM's child trafficking database to include adult trafficking victims.

PROSECUTION

The government increased its law enforcement efforts to address child trafficking, but demonstrated lesser efforts to combat the trafficking of adults. Existing laws criminalized some forms of labor and sex trafficking. The 2006 Act Relating to the Transportation of Minors and the Suppression of Child Trafficking (Act 2006-04) criminalized child labor and sex trafficking. Article 21 of Act 2006-04 prescribed penalties of 10 to 20 years for sex trafficking of children, which were sufficiently stringent and commensurate with those for other serious crimes, such as rape. Article 22 of Act 2006-04 prescribed penalties of six months to two years imprisonment and a fine for forced child labor, which were not sufficiently stringent. Article 3 of the labor code criminalized forced labor of adults and prescribed punishments of two months to one year imprisonment or a fine, which were not sufficiently stringent. Article 334 of the penal code did not explicitly criminalize adult sex trafficking; however, it criminalized procuring or offering a person for prostitution and the facilitation of prostitution with penalties of six months to two years imprisonment. The National Assembly did not review anti-trafficking legislation that had been pending for five years; however, the inter-ministerial committee began work with the National Assembly to incorporate anti-trafficking provisions into the draft penal code, which remained pending at the end of the reporting period.

In 2017, OCPM—a specialized unit responsible for anti-trafficking enforcement—investigated 30 suspected child traffickers—compared with 48 child abuse cases that may have included trafficking—involving 66 suspects in 2016. Six of the 14 First Instance Courts reported prosecuting and convicting 13 child traffickers in 2017, compared with prosecuting six suspected child traffickers and zero convictions in 2016. The courts convicted three offenders for child sex trafficking, four for illegal transport of children, and six for child trafficking under Act 2006-04 on the displacement of minors and prevention of child trafficking. The government did not investigate or prosecute any trafficking cases involving adult victims or take action against potential illegal recruitment agencies. Judges reported dismissing adult trafficking cases or reducing the charges given the lack of a specific law criminalizing adult trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

In April 2017, the Ministry of Social Affairs and Microfinance (MSAM), in partnership with an international organization, trained 23 prosecutors and judges, 17 border officials, eight police officers, and two ministry officials on migrant smuggling, human trafficking, and victim identification and protection. In October, a prosecutor provided anti-trafficking training to an unknown number of unit chiefs from the Port of Cotonou's Joint Unit for Container Control, Maritime Gendarmerie, Gendarmerie Investigative Bureau, Benin Drug Investigative Unit, Customs units, Water and Forest Police, and the airport's anti-trafficking unit.

PROTECTION

The government increased efforts to protect child trafficking victims and made limited efforts to identify and assist adult victims. During the reporting period, the government identified and referred 370 potential child trafficking victims to OCPM for initial care, compared with 223 in the previous reporting period. OCPM officers and the police proactively identified potential child victims through patrols of high-risk areas such as borders, bus stations, and large markets. In February 2018, the Ministry of Interior, in partnership with an international organization, sought to harmonize OCPM, civil society, and police efforts by establishing formal standard operating procedures (SOPs) for the referral of vulnerable children, including potential victims of trafficking, to protective services. Prior to adoption of the formal SOPs, MSAM, OCPM, the ministries of justice and foreign affairs, international organizations, and NGOs developed a system to assist, repatriate, and reintegrate victims of child trafficking. As part of this process, OCPM assumed initial custody of child trafficking victims in Benin and provided temporary shelter in its Cotonou facility that could house up to 160 children (80 boys and 80 girls).

The OCPM shelter offered child victims legal, medical, and psychological assistance, and served as a transit facility for potential child trafficking victims while their cases were processed prior to placement in long-term shelters. After an OCPM interview and assessment, victims were referred to a network of NGO shelters throughout the country. Trafficking-specific services were not available for adult victims, although they received care under the auspices of programs to assist victims of other forms of abuse. In January 2018, government officials at Cotonou airport identified two Ghanaian women traveling to potentially exploitative conditions, interviewed them, and worked with the Ghanaian embassy to ensure safe repatriation.

OCPM assisted foreign trafficking victims, predominantly minors, before repatriating them to their home countries. The government conducted repatriations of foreign victims in conjunction with an international NGO and the assistance of embassies or consulates of victims' countries of origin. During the reporting period, the government maintained support for OCPM's anti-trafficking work by contributing 19.2 million West African CFA francs (FCFA) ($34,140). This support included services for all children received in its shelter, including trafficking victims. The bilateral anti-trafficking cooperation agreement to facilitate law enforcement data sharing and repatriation coordination between Benin and Gabon remained pending, and no actions were taken under the 2011 Cooperation Agreement between Benin and the Republic of the Congo. Multilateral anti-trafficking cooperation agreements to increase law enforcement coordination on child trafficking cases between Benin, Togo, and Nigeria remained pending as well. Beninese law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship, although cases involving foreign child trafficking victims were considered on an ad hoc basis.

PREVENTION

The government increased efforts to prevent trafficking in persons. In September 2017, the government established an inter-ministerial committee to coordinate national anti-trafficking efforts, chaired by the chief of staff of the minister of planning and development and composed of directors of offices from across the Beninese government and partners from key NGOs and international organizations. The committee met twice during the reporting period; worked with the Ministry of Justice and the National Assembly to incorporate anti-trafficking provisions into the draft penal code; developed a national action plan to combat trafficking that explicitly included adults; and in November 2017, convened a summit involving law enforcement, NGOs, representatives from all 21 government ministries and international organizations. In July 2017, MSAM launched a public awareness campaign, in partnership with an international organization, which highlighted potential exploitation within Benin's main open-air markets (Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzeke in Parakou). This campaign incorporated an inspection program conducted at the markets and along roads connecting major cities, which resulted in the identification of more than 800 potential child trafficking victims. The government made no discernible efforts to reduce the demand for commercial sex acts or forced labor.

The government increased coordination with neighboring countries on airport screening procedures for adults and, in 2017, assisted in the interception of 14 Beninese women en route to the Middle East for potentially exploitative work, facilitating reunifications with their families in Benin.

In November 2017, the government started the Administrative Census for the Identification of the Population, an effort to collect data on all Beninese citizens from birth, in order to create a national digital database and issue national biometric identification cards. A lack of identity documentation continued to be a contributing factor to increased vulnerability to trafficking across West Africa, and in Benin. The Ministry of Foreign Affairs has a code of conduct for diplomats that prohibited Beninese nationals deployed abroad from engaging in or facilitating trafficking in persons; however, the government did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

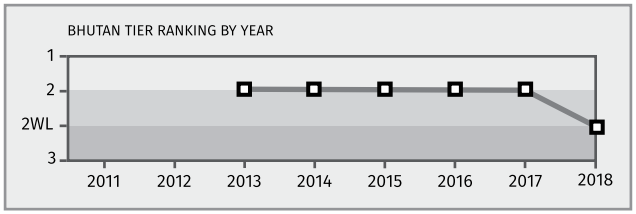
Benin is a country of origin, transit, and destination for women and children subjected to trafficking in persons, primarily for forced labor and sex trafficking. Trafficking victims most often come from low-income families, and frequently lack formal education or basic identity documents including birth certificates and national identification. Internal trafficking primarily draws children from rural areas in the north to the urban south of Benin in search of economic opportunity. International organizations and NGOs reported that *marabouts* continue to exploit children (*talibes*), especially in the northern regions of the country. Rising unemployment leads young girls to seek work abroad where they are at risk of sexual exploitation. Children from Benin who are subjected to trafficking externally are transported to West and Central African countries. Some parents send children to wealthier families for educational or vocational opportunities; a practice called *vidomegon*. Some of these children are subjected to domestic servitude. Children from neighboring countries are forced to labor on farms, in commercial agriculture (particularly in the cotton sector), in artisanal mines, at construction sites, or as street or market vendors in Benin. The department of Oueme in southeast Benin was reportedly a primary area of recruitment for child trafficking victims subsequently exploited in the Republic of the Congo. Benin is the largest source country for trafficking victims in the Republic of the Congo.

Traffickers exploit West African women in domestic servitude and forced commercial sex in Benin. There are increasing reports that young Beninese women are subjected to trafficking in Middle Eastern countries where they work as domestic help and are often forced into commercial sex. Traffickers and their accomplices continue to send child victims to their destinations alone and then meet the victims upon arrival, which makes investigations more challenging. International organizations report that potentially vulnerable adults now use airports in neighboring countries in order to circumnavigate anti-trafficking screening procedures put in place by the government at the International Airport of Cotonou.

BHUTAN: TIER 2 WATCH LIST

The Government of Bhutan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by maintaining two women and child protection units and funding an NGO to provide shelter to women and child victims of crime, including human trafficking. The government also conducted an awareness event in partnership with NGOs and UNICEF for 200 *drayang* (karoke bar) dancers and their employers and continued to

provide Bhutanese migrant workers with information about destination countries and migrant worker rights. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report initiating any new trafficking case investigations or prosecutions, convicting any traffickers, or identifying any victims during the reporting period, despite an increase in media reports of possible trafficking cases. While the government continued to work with an international organization to draft standard operating procedures (SOPs) for victim identification and referral, for the third consecutive year it had not finalized and adopted the SOPs. The government's laws did not criminalize all forms of trafficking, and understanding and awareness of trafficking crimes remained low. Therefore Bhutan was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BHUTAN

Finalize and disseminate SOPs for proactive victim identification and referral to protection services; amend penal code sections 154 and 227 and section 224 of the Child Care and Protection Act to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; vigorously investigate and prosecute trafficking cases; train officials on the implementation of anti-trafficking laws and victim identification and referral procedures; take steps to eliminate all recruitment fees charged to workers by recruitment agents; undertake and publish a comprehensive assessment of all forms of human trafficking, including labor trafficking of men; continue to fund NGOs that provide protective services to trafficking victims; continue to conduct human trafficking awareness events and disseminate awareness materials among vulnerable populations; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The law criminalized some forms of sex and labor trafficking. Section 154 of the penal code criminalized a person who "recruits, transports, sells or buys, harbors or receives a person through the use of threat or force or deception within, into, or outside of Bhutan for any illegal purpose." Inconsistent with international law, this definition required the purpose of the human trafficking crime to be "illegal" rather than specifically for an exploitative purpose, such as forced labor or sex trafficking. Section 227 of the penal code defined trafficking to include buying, selling, or transporting a child for any illegal purpose. Section 379 of the penal code defined trafficking as selling, buying, or transporting a person into or outside of Bhutan for the purposes of prostitution. Section 224 of The Child Care and Protection Act (CCPA) criminalized child trafficking but, inconsistent with international law, required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Section 154 of the penal code prescribed punishment ranging from three to five years imprisonment; section 227 from five to nine years; section 379 from five years to life imprisonment; and section 224 of the CCPA from five to nine years. These punishments were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The Labor and Employment Act criminalized most forms of forced labor with sufficiently stringent penalties ranging from three to five years imprisonment. The government steering committee of an international organization anti-trafficking program recommended the Office of the Attorney General's (OAG) national law review task force review the legal code and propose changes to align the law with international standards. The government did not report initiating any new trafficking case investigations or prosecutions, or securing any convictions during the reporting period, compared with one investigation and one prosecution initiated in the previous reporting period. A lower court acquitted a defendant of human trafficking charges in a case filed in a previous reporting period. The OAG appealed the case to the high court; the verdict remained pending at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

While the government stated its commitment to anti-trafficking, it also acknowledged its efforts were hampered by low capacity and awareness of the crime. The lack of diplomatic relationships with destination countries and mutual law enforcement agreements hindered the ability of the Royal Bhutan Police (RBP) to properly investigate possible cases of transnational trafficking. In partnership with an international organization, the Department of Law and Order (DLO) and the National Commission for Women and Children (NCWC)—an autonomous agency funded by the government—held trainings for law enforcement and prosecutors.

PROTECTION

The government decreased protection efforts. The government did not report identifying any victims in the reporting period, compared with two potential victims identified in 2016. For the third consecutive year, the government, with support from an international organization, continued to draft SOPs on victim identification and referral. DLO held a consultative meeting with government stakeholders to finalize the SOPs but, at the end of the reporting period, the SOPs had not been adopted. RBP maintained two women and child protection units and eight desks, responsible for coordination with other agencies on matters relating to women and children and ensuring acts related to their protection were implemented. RBP referred potential victims to NCWC and an NGO on an ad hoc basis. NCWC could provide legal aid, assistance during judicial proceedings, and case management in collaboration with the RBP. The government continued to fund an NGO to provide shelter to women and child victims of crime, including human trafficking, and legal aid, counseling, vocational, and life skills to men, women, and children. The NGO was mandated to specifically aid victims of domestic, sexual, and gender-based violence and had limited capacity to serve potential trafficking victims. There was no shelter facility for men.

In January 2018, media reported the government assisted three women who had been sent to Iraq as domestic workers by an unregistered foreign employment agent and experienced exploitation and abuse; once the women were in Nepal, the government provided logistical support and airfare for their return to Bhutan. NCWC provided counseling and other psycho-social support to the three women and their families. At the end of the reporting period, the Ministry of Foreign Affairs (MFA) was reportedly attempting to locate and repatriate 12 other Bhutanese domestic workers in situations of exploitation in

Iraq. The immigration department mandated the reporting of suspected cases of trafficking of foreign women and children to NCWC before initiating deportation for immigration violations; it is unclear if similar policies existed for potential foreign male victims. Bhutanese law did not provide legal alternatives to removal of trafficking victims to countries in which victims would face retribution or hardship.

PREVENTION

The government maintained efforts to prevent human trafficking. The government did not have a national action plan to combat trafficking. In the previous reporting period, the Cabinet removed NCWC, with a mission that encompasses only women and children, as the head of the anti-trafficking coordination body and appointed DLO. DLO led regular meetings with government stakeholders during the reporting period. The government continued to actively collaborate with an international organization on a project designed to enhance government and civil society responses to trafficking. In partnership with Bhutan InfoComm and Media Authority, RBP, NGOs and UNICEF, the Ministry of Labour and Human Resources (MoLHR), conducted an awareness event for 200 *drayang* (karoke bar) dancers and their employers to provide information on human trafficking legal provisions, reporting mechanisms, and protection services.

The Bhutan Labor and Employment Act of 2007 required labor recruitment agencies to be licensed and abide by the same labor laws as employers. MoLHR registered foreign migrant workers, monitored working conditions, and produced and disseminated pamphlets advising workers of their rights in Bhutan, including employer-paid medical exams, full and prompt payment of wages, and entitlement to retain personal identity documents. MoLHR licensed and monitored seven employment agencies to assist Bhutanese citizens over age 21 seeking work overseas, an increase from five agencies in 2016. MoLHR provided potential Bhutanese migrant workers with information about destination countries, including culture, environment, and laws, through in-person briefings and social media, and disseminated a pamphlet on migrant-worker rights. Government regulations on overseas employment allowed agents to charge Bhutanese migrant workers a recruitment fee of one month's salary and most recruitment expenses, except for costs associated with a visa or work permit; reportedly, these fees were only collected after successful placement with an employer. Media reported MoLHR investigated the claims of 42 Bhutanese migrant workers against a licensed recruitment agency for misrepresenting the terms of employment, including hours and wages; at the end of the reporting period the MoLHR website publically listed this agency's license as terminated however, the government did not report if the agency faced criminal or civil penalties.

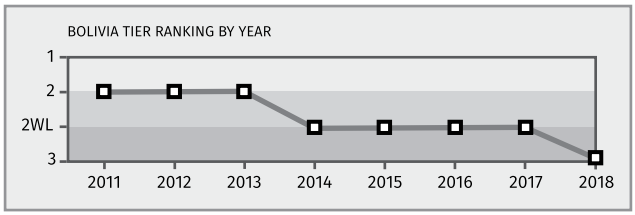
In July 2017, media reported two registered educational consultancy and placement firms—agencies that help Bhutanese navigate postsecondary education abroad— had illegally sent women to Kuwait, Oman, and United Arab Emirates for domestic work. The women had their identification documents and cell phones taken away and were forced to work as many as 16 hours a day for less than the promised salary. Media reported the MFA and the MoLHR intervened to help the women return to Bhutan at the expense of the firms. The Ministry of Education removed these firms from its website of registered consultancies and while the media reported OAG would prosecute the cases, it is unknown if it did. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Bhutan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the last five years, Bhutan is a source and destination country for men, women, and children vulnerable to forced labor and sex trafficking. Bhutanese who migrate overseas for work are vulnerable to human trafficking by unlicensed or unscrupulous recruitment agents. Bhutanese girls—working as domestic servants and entertainers in *drayangs* or Bhutanese karaoke bars—may be subjected to sex trafficking and labor trafficking coerced by debt and threats of physical abuse. Rural Bhutanese are transported to urban areas, generally by relatives, for employment in domestic work, which at times involves forced labor. LGBTI Bhutanese individuals may be vulnerable to human trafficking. While most domestic workers in Bhutan are young girls from poor, rural areas of the country, Indian women and girls also seek employment in this sector. An expanding construction sector continues to increase demand for low-skilled foreign labor, primarily men from India who are vulnerable to trafficking.

BOLIVIA: TIER 3

The Government of Bolivia does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts to do so compared to the previous reporting period. Although Bolivia meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four consecutive years, it is no longer eligible for that ranking and was therefore downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including expanding public awareness campaigns at the national and sub-national levels, opening a shelter for female victims of violence in Santa Cruz, and starting to implement binational agreements to combat human trafficking, such as by creating monitoring stations on the Chilean border. However, authorities did not report investigating, prosecuting, or convicting trafficking crimes, nor did authorities report proactively identifying victims and referring them to services. Officials did not have adequate resources or training to investigate, prosecute, and convict human trafficking crimes, and protection services for victims remained limited. The government did not report any new developments in investigations of alleged official complicity. The government did not sufficiently fund the anti-trafficking national action plan.



RECOMMENDATIONS FOR BOLIVIA

Investigate, prosecute, and convict traffickers, including complicit officials; provide adequate resources to law enforcement agencies to conduct anti-trafficking operations; amend the anti-trafficking law to bring the definition of trafficking in line with the definition of trafficking under international law; train police, prosecutors, judges, and social workers on a victim-centered approach to investigations and prosecutions; increase availability for specialized victim services; implement established protocols for the proactive identification of trafficking victims

among vulnerable populations, and for the referral of victims to care services; devote resources to implement the 2016-2020 national action plan; strengthen engagement and coordination with civil society on technical, budgetary, and policy matters related to trafficking; and improve data collection and sharing on anti-trafficking efforts, distinguishing human trafficking from other crimes.

PROSECUTION

The government maintained inadequate law enforcement efforts. Law 263 of 2012—the Comprehensive Law against Trafficking and Smuggling of Persons—criminalized labor and sex trafficking and prescribed penalties of 10 to 15 years imprisonment for adult trafficking and 15 to 20 years imprisonment for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the definition of trafficking under article 281bis of the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, article 322 of the law criminalized all commercial sex acts involving children, thereby addressing this gap. Article 322 prescribed penalties of 8 to 12 years imprisonment, which were also sufficiently stringent and, with respect to sex trafficking, commensurate with other grave crimes, such as rape. Article 281bis defined trafficking broadly to include illegal adoption without the purpose of exploitation, the sale of organs, and unlawful biomedical research. While Law 263 created separate criminal offenses for trafficking in persons and migrant smuggling, one government agency was responsible for both crimes; that agency often conflated the two crimes in its collection of data and response to perpetrators and potential victims of trafficking.

The government did not report trafficking-specific law enforcement data for the reporting period. The Ministry of Justice reported issuing sentences for 44 cases under Law 263, which included migrant smuggling, illegal adoption, and other non-trafficking crimes, between 2016 and 2017; however, some sources reported there had been only seven human trafficking convictions nationwide since Law 263 was enacted in 2012. In November 2017, sources reported Tarija department police were investigating a forced labor case involving 25 people from the Guarani indigenous group, including eight minors, exploited in the sugarcane harvest. The 2016 investigation and prosecution of an alleged trafficking ring based out of two popular nightclubs located in La Paz and Santa Cruz remained ongoing. In February 2017, authorities arrested two police officers, one municipal official, and a former migration unit police director for trafficking crimes in connection with the 2016 case. In August 2017, police arrested two individuals for attempting to bribe a victim in the case to retract her statement against the owner of the nightclubs. In April 2017, the department attorney general of Cochabamba reported sentencing an individual who exploited a minor in commercial sex to nine years imprisonment after he was convicted for "pimping." Some police and prosecutors charged trafficking cases as non-trafficking crimes, such as pimping; this was sometimes due to a belief that trafficking cases were difficult to prove in court. Authorities also abused law enforcement resources to continue prosecuting two individuals on politically motivated trafficking charges, further bringing into question the veracity of the anti-trafficking data—and the resource constraints—reported by the government. During the reporting period, sources alleged complicity among law enforcement officials, such as some investigators reportedly stalling investigations and creating obstacles to prosecutors and judges, officers tipping off brothel owners to upcoming raids, and officials accepting bribes in exchange for dropping investigations. For the fifth consecutive year, no information was available regarding any government response to a 2013 report from the ombudsman's office that two police officers allegedly forced female inmates into prostitution.

General backlogs in the judiciary, insufficient resources and personnel, and poor training of law enforcement officials impeded law enforcement efforts. Contacts reported each prosecutor is responsible for 800 to 1,000 cases. The judiciary backlog added pressure on prosecutors to try to resolve cases through alternatives means such as plea deals and reduced crimes, with some sources claiming that alleged traffickers received inadequate sentences. Additionally, law enforcement did not have adequate resources to conduct monitoring to ensure alleged perpetrators remained in country and appeared for trials. Sources reported this lack of pre-trial monitoring, coupled with lax border controls, resulted in a growing number of alleged perpetrators fleeing the country and avoiding prosecution.

In October and November 2017, the government provided technical support to three workshops implemented by an international organization and funded by a foreign donor that trained 101 law enforcement officials, prosecutors, judges, national and departmental anti-trafficking committee members, and civil society members on human trafficking. Authorities provided only brief theoretical training in the police academy without practical in-depth case studies. The La Paz police department's anti-trafficking unit maintained 18 police investigators and other departments' anti-trafficking units allotted three to five investigators. In April 2017, the Bolivian National Police (BNP) reported publishing a 26 page online report detailing the responsibilities of anti-trafficking units; some units used this report. Some new recruits to the anti-trafficking police units reportedly did not receive any orientation or training on human trafficking crimes but rather were tasked to teach themselves about the anti-trafficking law and trafficking investigative techniques on their own time. Police were rotated into new positions every three months to one year, resulting in a cyclical loss of institutional knowledge and impeding specialization in trafficking crimes. Due to resource limitations, anti-trafficking police units relied heavily on collaboration with NGOs to provide resources and intelligence for police operations.

PROTECTION

The government maintained inadequate protection efforts. The government did not report the number of victims it identified or referred to services, though victim service providers reported receiving some sporadic government referrals. The government did not implement the protocol approved in 2014 for identifying trafficking victims during the reporting period. Prostitution was legal in the country and the Ministry of Health administered periodic medical tests to individuals in prostitution, but did not screen for trafficking indicators. As of February 2018, the Ministry of Labor employed six labor inspectors specifically charged with investigating cases of child labor and forced labor and an additional 87 labor inspectors, who had authority to investigate potential forced labor cases if they encountered them during their routine inspections.

The government relied on foreign donors and NGOs to fund and provide most victim services. The government drafted a

victim referral protocol but did not approve it by the end of the reporting period. Six out of nine department governments managed temporary shelters for victims of domestic violence; these shelters accepted female trafficking victims but did not provide specialized services. In September 2017, the department of Santa Cruz opened a 70-bed shelter for female victims of violence, including trafficking victims. Law 263 also required the government to provide free access to services for victims, but the government did not provide adequate funding for such services. Due to the small number of shelters, police were often unable to secure safe accommodation for trafficking victims identified in raids and reportedly gave victims money for hotel rooms for a night. The government did not provide any services to adult male victims. The government detained and housed boy trafficking victims with juvenile criminals due to a lack of alternative accommodations.

In December 2017, the BNP announced it would publish a list of "false victims" of trafficking crimes as an effort to prevent false allegations to police. While false claims may be an issue due to lack of public understanding of what trafficking crimes are, publication of such a list could discourage real victims to report crimes or participate in investigations and prosecutions, and inclusion on the list could endanger trafficking victims. Victims may submit a written statement to be presented in court rather than testify in person; the government did not report how many trafficking cases in which this was used. Foreign victims were able to receive a humanitarian visa but the process could take years; victims were unable to work while the application was pending, and victims must initiate a formal case against their alleged trafficker to qualify. The government did not report the number of humanitarian visas granted to trafficking victims during the reporting period. At the conclusion of criminal trials, victims may initiate civil proceedings to claim damages but the government did not report any civil proceedings for trafficking cases. In July 2017, the government announced it would cover all expenses to repatriate Bolivian victims identified abroad; the government did not report if it provided repatriation services to any victims abroad during the reporting period.

PREVENTION

The government maintained prevention efforts. The Plurinational Council against Human Trafficking and Smuggling coordinated the national governments' anti-trafficking efforts; the Council met once during the reporting period. The government began updating its 2016-2020 national action plan using the 2015-2019 action plan as a guide. At the end of the reporting period, the government had not approved the updated plan or allocated a budget. The Plurinational Council's national policy to implement Law 263 required each department to develop anti-trafficking plans; two of nine departments had developed and began implementing a plan. Two sub-ministerial units were responsible for coordinating anti-trafficking efforts—the Directorate of Trafficking and Smuggling in Persons mandated by Law 263 and the Office of Trafficking in Persons in the Ministry of Justice. Observers noted a lack of interagency coordination, in part due to overlapping mandates. Law 263 mandated creation of a federal registry of employment agencies; however, the government did not report whether the registry had been created and most labor recruitment is informal. During the reporting period, the government signed bilateral cooperation agreements to combat human trafficking with Chile, Argentina, Peru, and Brazil; in October, the government established six monitoring stations on the Bolivia-Chile border to combat human trafficking, migrant smuggling, and drug trafficking.

The government created an observatory of trafficking crimes to collect information on trends, and Law 263 mandated the Plurinational Council submit an annual report to Congress on its work; the council planned to submit its second report in April 2018. The Human Rights Ombudsman's Office launched an awareness campaign to warn vulnerable populations of fraudulent recruitment practices and an awareness campaign at bus stations while several other government ministries launched social media and internet campaigns. The Ministry of Communication spent approximately 114 hours discussing human trafficking and Law 263 on the radio during the reporting period. Several municipal and departmental governments launched public awareness efforts, including the Tarija municipal government, which developed a school outreach program that deployed 40 specialists to 115 schools; in 2017 the program educated 10,000 students, 1,200 teachers, and 5,000 parents on human trafficking. The Institute for Normalization of Quality, a semi-autonomous government agency, operated a "triple seal" certification program for sugar producers whose final products were certified to be free of child and forced labor, which could reduce the demand for forced labor. Two companies obtained the seal in 2017. The government did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel.

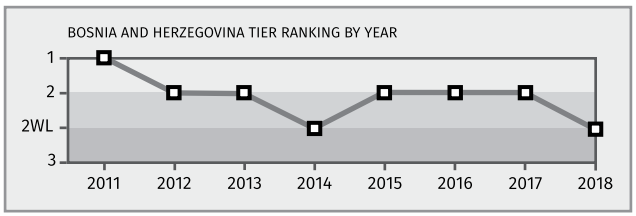
TRAFFICKING PROFILE

As reported over the past five years, Bolivia is principally a source country for men, women, and children exploited in sex trafficking and forced labor within the country and abroad. To a more limited extent, women from neighboring countries, including Brazil, Colombia, and Paraguay, have been subjected to sex trafficking in Bolivia. Bolivia serves as a transit and destination country for migrants from Africa, Chile, and the Caribbean, some of whom become victims of forced labor and sex trafficking. Rural and poor Bolivians, most of whom are indigenous, and LGBTI youth are particularly vulnerable to sex and labor trafficking. Bolivian women and girls are found in sex trafficking within Bolivia and in neighboring countries such as Argentina, Brazil, Panama, Peru, and Chile. Within the country, Bolivian men, women, and children are found in forced labor in domestic work, mining, ranching, and agriculture. Media report cases of children forced to commit crimes, such as robbery and drug production, and others exploited in forced begging. A significant number of Bolivians are subjected to forced labor in Argentina, Brazil, and Chile in sweatshops, agriculture, domestic work, textile factories, and the informal sector. Traffickers exploit the absence of a national registry of employment agencies to establish or abuse existing informal temporary employment agencies, through which they identify and recruit potential victims.

BOSNIA AND HERZEGOVINA: TIER 2 WATCH LIST

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying more forced begging victims and granting compensation to four victims from their traffickers in the first successful civil suit. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government penalized victims for unlawful

acts committed as a direct result of being subjected to trafficking, in part due to inadequate victim identification practices. Law enforcement and social workers justified cases of potential forced child begging, forced labor, and forced marriage involving Roma as traditional cultural practices. The government lacked victim protection, including victim-centered prosecutions and access to assistance outside of NGO-run shelters, and the strike force was ineffective due to a lack of participation among relevant actors. Therefore Bosnia and Herzegovina was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR BOSNIA AND HERZEGOVINA

Implement the law that exempts victims from penalties for unlawful acts committed as a direct result of being subjected to trafficking, particularly victims of sex trafficking, forced begging, and forced criminality; formalize a multidisciplinary national referral mechanism, including improving official identification procedures and providing assistance and support to all victims that is not contingent on cooperating with investigations; train first responders on victim identification and referral, particularly for those subjected to forced labor and forced begging; vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose sentences that reflect the serious nature of the crime; implement victim-centered approaches to investigations and prosecution; integrate Romani groups into decision-making processes regarding victim protection; allocate sufficient funding for NGO-run shelters and develop financial policies that effectively allocate funding for victim assistance; standardize victim assistance throughout the country, including the ability to access assistance and support outside of shelters and specialized assistance for male victims; increase proactive identification efforts, particularly for adult victims; and improve cooperation and coordination amongst State and sub-State actors, including allocating adequate resources and assigning personnel to the anti-trafficking strike force.

PROSECUTION

The government decreased law enforcement efforts. Bosnia consisted of two entities within the State, the Federation of Bosnia and Herzegovina (Federation) and the Republika Srpska (RS). Each entity had political, legislative, and judicial authority. The Brcko District (BD) was a self-governing area under the jurisdiction of the State. Entity-level authorities addressed domestic trafficking offenses internal to their territories and State-level authorities addressed cases with international aspects. Article 186 of the State-level criminal code criminalized sex and labor trafficking only in cases where the victim was exploited in a country in which he or she did not reside or have citizenship; it prescribed penalties of one to 10 years imprisonment. Articles 210a and 210b of the Federation's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years imprisonment. Article 198a of RS's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of three years imprisonment. Article 207a of BD's criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of five years imprisonment. These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape.

The State Prosecutor's Office (SPO) investigated three suspects (one in 2016) and indicted three defendants (none in 2016). The State court convicted four traffickers (two in 2016) and sentenced two traffickers to one year and six months imprisonment but did not provide information on the other two traffickers. Federation authorities investigated seven suspects (four in 2016). The Federation prosecutors indicted one defendant (21 in 2016) and Federation courts convicted seven traffickers (six in 2016). Traffickers received sentences between eight months to three years and six months imprisonment. RS authorities investigated one suspect (two in 2016) but did not initiate any prosecutions in 2016 or 2017. RS did not report convictions in 2016 or 2017. BD authorities investigated one suspect and prosecuted one suspect. BD courts convicted one trafficker (two in 2016) and sentenced the trafficker to one year imprisonment. Authorities reported a BD appellate judge acquitted an alleged trafficker, who was convicted by a lower court, by citing forced child begging and early marriage as traditional Roma cultural practices and customs.

In contrast to the previous year, the government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking; however, corruption and official complicity in trafficking crimes remained significant concerns. The government continued joint investigations with France and the Netherlands of a Bosnian and Croatian married couple forcing six Roma children to pickpocket in the Netherlands; however, no indictments were made due to internal dysfunction and inefficient processing of evidence by the SPO. Additionally, the lack of bilateral agreements regarding witness protection created obstacles for witnesses and victims to participate effectively in international investigations. The State Investigation and Protection Agency (SIPA) maintained 12 specialized officers, including three women, but the other 15 police agencies did not have specialized units and authorities continued to regularly investigate and prosecute forced child begging and forced labor under lesser offenses. The government operated a standing anti-trafficking strike force to coordinate criminal justice responses, but the Federation and the State failed to appoint prosecutors and SIPA rarely participated in meetings. Police academies maintained basic and advanced courses on trafficking and the State continued to provide basic training for prosecutors and judges on trafficking cases. The State, in cooperation with civil society, trained police, prosecutors, and judges on various trafficking issues.

PROTECTION

The government slightly decreased victim protection efforts. The government identified 82 potential trafficking victims (44 in 2016). Of these, 15 were victims of sex trafficking, seven of forced labor, 52 of forced begging, seven of forced begging and involuntary sexual servitude in forced marriages, and one whose exploitation was not reported (six of sex trafficking, 12 of forced labor, 20 of forced begging; and six of both sex trafficking and forced labor in 2016); 58 victims were female and 25 were male (26 were female and 18 were male in 2016); 47 children (10 were children in 2016). Two bylaws provided standard operating procedures for identifying and referring victims to services. The government also maintained guidelines to assist first responders in identifying trafficking victims, including a list of indicators, but observers reported first responders did not know or consistently use the guidelines and lacked

proactive identification efforts, particularly for adult victims. The government operated seven drop-in centers for children that conducted outreach work and a mobile team for street children in Sarajevo; drop-in centers and the mobile team identified 130 street children. International organizations reported law enforcement and social workers at centers for social welfare (CSW) justified cases of potential forced child begging, forced labor, and forced marriage involving Roma as traditional cultural practices and customs and sometimes returned children to their families even when parents were involved in the exploitation. First responders referred potential trafficking victims to law enforcement who conducted an interview and had authority to officially recognize victims. However, GRETA and an NGO reported, in practice, the interview and identification procedures lacked transparency and only prosecutors' designation of whether a person was a trafficking victim was recognized; prosecutors often required victims to cooperate with law enforcement to receive assistance and support. The government-funded assistance programs required victims to obtain official recognition to access care and potential victims received assistance only when an NGO had funds from other sources; authorities referred 26 victims to NGO-run shelters (13 in 2016).

The government partly funded two specialized NGO-run shelters. The Ministry of Human Rights and Refugees allocated 60,000 marks ($36,810) to assist domestic trafficking victims in both 2016 and 2017. The Ministry of Security allocated 70,000 marks ($42,940) for assistance to foreign victims in both 2016 and 2017. Funding for victim assistance was disproportionately lower for domestic victims, although they constituted the majority of identified victims. The government returned to the State budget unused funds allocated to assist foreign victims but did not reallocate those funds for domestic victim assistance. NGOs reported good cooperation with the government but greatly lacked resources. The government, in cooperation with NGOs, provided accommodation, psycho-social support, medical assistance, legal assistance, and guardianship for children. However, access to care was not standardized and based on bylaws that were not legally binding; RS law entitled trafficking victims to social assistance but Federation and BD laws did not include trafficking victims to such assistance. NGO-run shelters allowed victims to leave voluntarily after informing the staff, but GRETA reported no mechanisms were in place to provide assistance to victims outside of shelters, including at CSW that lacked the resources and staff to provide specialized assistance to trafficking victims. One NGO-run shelter accommodated male trafficking victims but did not offer specialized services. Authorities reported developing a reintegration plan for each victim, including vocational training, but the government did not provide funding for reintegration programs and observers reported cases of children spending over two years at NGO-run shelters due to slow court proceedings and a lack of reintegration opportunities. The law provided repatriation assistance to Bosnian citizens identified abroad; the government repatriated one victim from Hungary in 2017. Foreign victims were eligible for a humanitarian visa allowing them to temporarily live and work in Bosnia and victims were permitted a 30-day reflection period to determine whether they wanted to request a visa.

The government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking; observers reported victims of forced begging and forced criminality were penalized with misdemeanor charges for petty crimes. The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. Sub-State laws against "enticement to prostitution" permitted law enforcement to treat children 14 years and older as juveniles willingly engaged in prostitution instead of victims of rape or sex trafficking. The government did not consistently conduct victim-centered investigations and prosecutions; authorities repeatedly interviewed victims and victims frequently appeared in front of their traffickers in court, causing re-traumatization. Police did not consistently notify victims' lawyers when conducting interviews and international organizations reported cases of victims' identity and personal information leaked to the media and published. Victims could seek restitution through criminal or civil suits. In 2016, a district court upheld an appeal made by an NGO that filed the first lawsuit for compensation on behalf of four trafficking victims and in 2017; the court ordered the traffickers to pay 12,100 marks ($7,420) to their four victims. Observers reported civil proceedings required victims to submit new testimonies and medical examinations, causing re-traumatization, despite the government convicting their trafficker in criminal proceedings.

PREVENTION

The government maintained efforts to prevent trafficking. The government continued to implement the 2016-2019 national action plan and the State coordinator continued to produce its annual report. Regional monitoring teams (RMT) met regularly but only served as forums to exchange information rather than their intended mandate of establishing local referral mechanisms. The government continued to allocate 10,000 marks ($6,130) to seven NGOs to conduct awareness raising activities. The government organized a study trip for labor inspectors to the Netherlands and France for various forced labor issues, but the labor inspectorate lacked resources to adequately inspect recruitment agencies. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel.

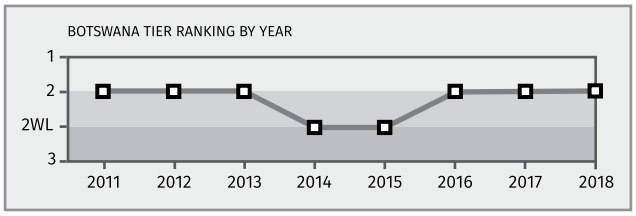
TRAFFICKING PROFILE

As reported over the past five years, Bosnia and Herzegovina is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. In previous years, victims from Cuba, Gambia, Libya, and Serbia were subject to trafficking in Bosnia. Bosnia is a transit country for Ukrainians subjected to trafficking in Germany. Bosnian women and girls are subjected to sex trafficking within the country in private residences, motels, and gas stations. Economically marginalized Romani children are subjected to forced begging and involuntary domestic servitude in forced marriages. Foreign women and girls from European countries are vulnerable to sex trafficking within the country. Bosnian victims are subjected to sex trafficking and forced labor in construction and other sectors in countries across Europe including Croatia, France, Serbia, Slovenia, and Austria. Corruption creates an environment enabling some trafficking crimes.

BOTSWANA: TIER 2

The Government of Botswana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increased efforts compared to the previous reporting period; therefore Botswana remained on Tier 2. The government

demonstrated increasing efforts by investigating and prosecuting traffickers and training law enforcement and judicial officials on Botswana's Anti-Human Trafficking Act and sentencing guidelines. The government continued to identify trafficking victims and refer them to protective services, and continued to conduct awareness-raising activities throughout the country. The government adopted and launched a national action plan for the first time. However, the government did not meet the minimum standards in several key areas. The government decreased anti-trafficking law enforcement efforts. The government identified fewer trafficking victims and did not provide formal written procedures to guide social service, law enforcement, or immigration officials in proactively identifying victims of trafficking among vulnerable populations. The government did not have access to conduct labor inspections of private cattle farms where child labor is widely believed to exist.



RECOMMENDATIONS FOR BOTSWANA

Formalize the system to refer victims to social services and ensure all victims receive protective services; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; disallow suspended sentences for convicted traffickers; implement the newly adopted anti-trafficking national action plan; increase efforts to investigate, prosecute, and convict traffickers; implement formal victim identification procedures for all stakeholders, including law enforcement and immigration officials, and train officials on the procedures; continue to encourage victims to participate in the investigation and prosecution of traffickers through formal procedures; develop guidelines for specific protective services for trafficking victims, to be provided either directly or in partnership with NGOs; continue to conduct awareness campaigns, particularly in rural areas; and provide anti-trafficking training to diplomatic personnel.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. The 2014 Anti-Human Trafficking Act criminalized labor and sex trafficking. The law defined trafficking broadly to include all child labor. The law prescribed penalties of up to 25 years imprisonment or a fine of 500,000 pula ($51,000), which were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, with regard to sex trafficking, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Sections 57 of the 2009 Children's Act criminalized inducing, coercing, or encouraging a child to engage in prostitution, and prescribed penalties of two to five years imprisonment and/or a fine of 50,000 pula ($5,100), penalties which were significantly lower than those prescribed under the 2014 anti-trafficking act.

The government investigated six trafficking cases and launched prosecutions against eight defendants under two sections of the 2014 anti-trafficking act, compared with 12 investigations and 18 prosecutions in the previous reporting period. The government did not convict any traffickers compared with one conviction during the previous reporting period. The Directorate of Public Prosecutions' (DPP) appeal of a partially suspended sentence for a convicted trafficker initiated in the previous reporting period remained pending. The DPP established specialized anti-trafficking units and appointed two trained focal points, one law enforcement officer, and one prosecutor, to monitor the investigation and prosecution of trafficking cases. The government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

In April 2017, the Ministry of Defense, Justice, and Security (MDJS), in partnership with an international organization, trained magistrates and high court judges on Botswana's Anti-Human Trafficking Act and appropriate sentencing for offenders. The government provided transportation for law enforcement officers stationed countrywide to participate in the training. The government supported 15 workshops, organized by an international organization and Southern African Development Community (SADC), for front-line responders including child protection and law enforcement officers, district officers, and border officials on victim protection procedures. Additionally, the police service included a section on human trafficking in its curriculum to educate recruits and in its in-service training for officers on the anti-trafficking law, victim identification, and investigation of human trafficking cases.

PROTECTION

The government maintained uneven efforts to identify and protect trafficking victims. The government identified three adult and six child trafficking victims during the reporting period—three girls and three boys, of which two were labor trafficking victims and four were sex trafficking victims, two were Batswana and four were foreign nationals—a decrease from 27 victims identified during the previous year. The government referred all child victims to a government-funded NGO-run shelter to receive protective services; it disbursed 447,000 pula ($45,590) to the shelter to provide care services. A women's shelter, which cared for adult victims in the past, did not report any referrals. The government repatriated 10 foreign victims to their countries of origin, funding the costs of transport, flights, and hotels. The government did not provide formal written procedures to guide social service, law enforcement, or immigration officials in proactively identifying victims of trafficking and did not fully operationalize the victim referral measures detailed in the 2014 anti-trafficking act. One NGO-run shelter used its own assessment process for victim eligibility for admission to the shelter and access to care services. There were no reports officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased prevention efforts. The Anti-Human Trafficking Committee, established under the MDJS in the previous reporting period in accordance with the 2014 anti-trafficking act, met four times during the reporting period. The committee adopted and launched a national action plan to combat trafficking. The MDJS coordinated multiple awareness-raising events throughout the country, including visiting secondary schools in areas where the prevalence of trafficking was high, reaching an estimated 15,000 students. The government conducted a random survey of 1,500 students who participated to determine the effectiveness of its outreach and more than 70 percent of students reported their awareness

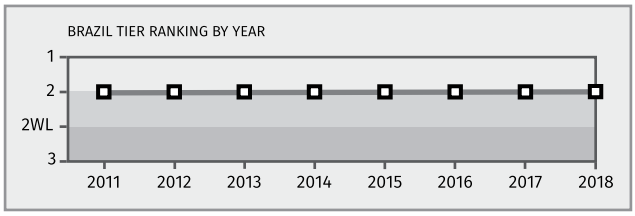
of trafficking was improved. The government conducted nine anti-trafficking workshops for community leaders, including traditional chiefs, and district councilors and an additional four workshops for religious organizations. MDJS officials also conducted a workshop for civil society organizations at the NGO Council forum. The Assistant DPP contributed to various regional training courses, training on prosecutorial strategies in trafficking cases as well as presenting on cross-border cooperation. Additionally, as a member of a Southern African regional task force, the office of the DPP provided technical input to the Regional Trafficking in Human Beings manual. The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. The government reported it conducted labor inspections regularly throughout the country, but an NGO reported it was unaware of inspections of private cattle farms where child labor is widely believed to exist. The government made efforts to reduce the demand for commercial sex acts during the reporting period by conducting periodic sting operations in establishments notorious for commercial sex; however, it did not make efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Botswana is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Residents of Botswana most vulnerable to trafficking are unemployed women, the rural poor, agricultural workers, and children. Some parents in poor rural communities send their children to work for wealthier families as domestic servants in cities or in agriculture and cattle farming in remote areas, increasing their vulnerability to forced labor. Young Batswana serving as domestic workers for extended family may be denied access to education and basic necessities or subjected to confinement or verbal, physical, or sexual abuse—conditions indicative of forced labor. Batswana girls and women are possibly exploited in prostitution within the country, including in bars and by truck drivers along major highways. Some women may be subjected to trafficking internally or transported from neighboring countries and subjected to sexual exploitation. Officials confirmed adults and children of the San ethnic minority group are subjected to labor conditions on private farms and cattle posts in Botswana's rural west that might rise to the level of forced labor. Undocumented migrant Zimbabwean children might be vulnerable to trafficking in Botswana. There has been no comprehensive international or domestic study of trafficking trends within the country.

BRAZIL: TIER 2

The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Brazil remained on Tier 2. The government demonstrated increasing efforts by increasing the overall number of investigations and convictions, improving data collection, and initiating restitution proceedings for victims in the Fazenda Brasil Verde case. However, the government did not meet the minimum standards in several key areas. Investigation and prosecution efforts in sex trafficking cases remained weak, reports of official complicity and corruption were largely unaddressed, foreign victims were penalized for crimes committed as a direct result of being subjected to trafficking, and assistance to victims remained weak and inconsistent.



RECOMMENDATIONS FOR BRAZIL

Amend the 2016 anti-trafficking law to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol; vigorously investigate, prosecute, and convict trafficking cases including those involving sex trafficking or complicit officials; ensure trafficking victims are not penalized for crimes committed as a direct result of being subjected to trafficking; prosecute labor traffickers in criminal courts; increase funding for specialized services, including housing for victims of sex trafficking and forced labor; improve federal and state law enforcement cooperation and communication on trafficking cases; train federal, state, and municipal law enforcement officials on proactive identification of victims; update referral mechanism guidance to reflect the provisions covered under the new law; increase specialized services for child trafficking victims, including case management assistance and oversight of local guardianship councils; and finalize and begin implementing the third national action plan for the elimination of trafficking.

PROSECUTION

The government maintained prosecution efforts. Article 149a of law 13.344 criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of four to eight years imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 149a required force, fraud, or coercion for child sex trafficking cases, and therefore did not criminalize all forms of child sex trafficking. However, 244A of the child and adolescent statute criminalized inducing a child to engage in sexual exploitation, without the need to prove the use of force, fraud, or coercion and prescribed penalties of four to 10 years imprisonment and a fine, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 149 of law 13.344 prohibited *trabalho escravo*, or reducing a person to a condition analogous to slavery, defining forced labor to include degrading work conditions and exhausting work hours, going beyond situations in which people are held in service through force, fraud, or coercion.

Contrary to previous years when law enforcement data occasionally included state and federal efforts, the 2017 investigation and prosecution data included information solely under federal jurisdiction. In 2017, authorities reported 190 investigations (171 investigations under article 149 and 19 investigations under article 149a), compared with 147 investigations in 2016 (103 new and ongoing investigations under the old penal code, 22 new and 20 ongoing investigations

under article 149, and 22 investigations under article 149a). The government reported 57 prosecutions (55 under article 149 and two under article 149a), compared with 147 prosecutions in 2016 (135 under the old penal code, three under article 149, and three under article 149a in 2016). Authorities reported 81 total convictions in 2017 (four under article 149a in the superior court, 20 under article 149 in the superior court, two under article 149a in lower courts, and 55 convictions under article 149 by lower courts), compared with a total of 23 convictions in 2016 (22 in lower courts and one final conviction in the superior court). Most sex and labor traffickers convicted by lower courts appealed their convictions; there were 78 appeals related to trafficking cases in the federal court system in 2017 (compared with 29 in 2016). The prolonged appeals process lasted years and hampered Brazil's overall law enforcement efforts. Authorities estimated 79.7 million cases were pending review in the Brazilian court system in 2017 and rulings in eight of every 10 cases were not enforced due to recurring appeals. The government did not report the length of sentences given for all cases, but media reported sentences for select cases ranged from two to seven years imprisonment. However, most convicted traffickers served sentences under house arrest or by spending only nights in prison while being free during the day.

The government treated forced labor as a distinct crime from sex trafficking. The Ministry of Labor's (MTE) inspectors handled administrative cases of *trabalho escravo* while cases with evidence of serious violations were referred to the labor court and public ministry for criminal prosecution. This resulted in uneven interagency coordination of anti-trafficking efforts. Labor inspectors and labor prosecutors could apply only civil penalties. The MTE conducted 7,491 inspections in 2017, an increase from 1,902 inspections in 2016 in part due to the resolution of 2016 strikes by labor inspectors.

The Brazilian Federal Police (DPF) had a unit in every state and was involved in the investigation of most trafficking crimes. In some states, the DPF worked efficiently with state and municipal law enforcement entities; however, law enforcement cooperation and communication among the DPF and state and municipal entities was generally insufficient. Law enforcement units at all levels had insufficient funding, expertise, and staff to investigate trafficking. NGOs indicated that, of Brazil's three police forces, the DPF was the most competent in handling trafficking cases; however, specialized training for all law enforcement entities on trafficking indicators was lacking. In coordination with international organizations and foreign donors, the government trained law enforcement officials, prosecutors, immigration, and border officials on trafficking. In 2016, the National Justice Council (CNJ) launched FONTET—a national forum tasked with increasing judicial efficiency in the handling of trafficking cases and ensuring victims were not penalized for crimes committed as a result of being subjected to trafficking. Due to personnel changes, FONTET was active only in the first part of 2017. In December 2016, the Inter-American Court for Human Rights ruled against Brazil in a historic case (Fazenda Brasil Verde vs. Brazil) where for the first time it fined a country for failing to prevent slavery within its borders; it ordered the government to pay $5 million to 128 farm workers who were enslaved from 1988 to 2000 and to reopen the investigation. In January 2018, the attorney general announced the creation of a task force to re-open the investigation. The government did not report updates to cases of official complicity opened in past years, including the investigation of an elected official, who in October 2016 was removed from his position in Parana state after allegations of involvement in a child sex trafficking ring. Similarly, there were no updates on the prosecution's appeal of an inadequate sentence given to a civil police investigator in 2016 for his involvement in a sex trafficking ring involving children. During the reporting period, an NGO reported that more than one in 10 high-ranking politicians received campaign donations from companies linked to conditions analogous to slavery.

PROTECTION

The government maintained protection efforts. Authorities continued to use guidance provided by the Ministry of Justice and Public Security (MJSP) for all federal, state, and local governments on victim identification and assistance, but the government did not report updating the guidance to reflect provisions of the 2016 legislation. The MJSP maintained 12 posts at airports and bus stations known as transit points for victims to identify likely traffickers and potential victims. Law 13.344 mandated the government provide victims with temporary shelter, legal, social, and health assistance, and protection against re-victimization. Seventeen of 27 state governments operated state-level anti-trafficking offices (NETPs) that referred victims to social assistance centers for victims of trafficking, sexual abuse, exploitation, and domestic violence. Specialized MTE divisions provided victims of forced labor with job training services, three months of unemployment pay, and limited counseling services. Observers indicated some NETPs had effective assistance and coordination teams that comprised police officers, prosecutors, and mental health professionals, whereas other state offices were not as well equipped to assist victims. Various agencies reported identifying victims and potential victims of trafficking, totaling 1,117 victims in 2017 (13 sex trafficking victims and 1,104 labor trafficking victims), compared with 1,268 in 2016. Seven of the 27 NETPs reported assisting 10 sex trafficking victims and 101 forced labor victims during the first half of 2017. The Rio de Janeiro state government reported identifying three sex trafficking victims and two labor trafficking victims in 2017. MTE reported identifying 1,008 children working in violation of minimum working age laws, some of whom may be trafficking victims. Officials did not report the number of victims of domestic servitude or commercial sexual exploitation of children identified in 2017.

The federal government did not fund specialized or long-term shelters for trafficking victims; instead, it often placed them in shelters for victims of domestic violence or centers for migrant assistance. There were no specialized services for male or transgender sex trafficking victims. Specialized shelters for child sex trafficking victims were lacking, and guardianship councils often did not have the expertise or resources to identify child victims correctly and refer them to services. General victim services and shelters varied in quality from state to state. The state of Sao Paulo maintained a shelter where female victims and their children could receive health benefits, education, food, and housing for three to six months. Another shelter in Sao Paulo provided temporary assistance for refugees and trafficking victims, but the government did not report how many victims stayed at the shelter. In 2017, there were 2,521 specialized social assistance centers across the country where psychologists and social workers assisted vulnerable people (compared with 2,521 centers in 2016). In 2017, many centers remained underfunded; however, 378 centers were certified to assist trafficking victims compared to 988 centers in 2016. The government did not report how many victims authorities assisted through the centers in 2017.

Victims of *trabalho escravo* remained vulnerable to re-trafficking due to inconsistent access to assistance and employment

options; however, the government sought to address this issue by offering vocational training. The state government in Mato Grosso continued to offer vocational training to victims of *trabalho escravo*. The MTE and Ministry of Social Development continued to provide *trabalho escravo* victims access to public services by including the victims in the registry for social programs, granting them priority access to a cash transfer program, unemployment insurance, subsidized housing, a discount on energy bills, and technical assistance—all implemented at municipal-level centers for social assistance.

During the reporting period, the MJSP reported the judicial system continued incorporating live video testimony into trials to encourage victims of crimes to testify against their perpetrators and do so from the location of their choice. Authorities did not report whether video testimony had been used in a trafficking trial yet. Trafficking victims serving as witnesses were eligible for a short-term protection program, although authorities did not report how many victims received protection in 2016 or 2017. Foreign trafficking victims were entitled to permanent visa status, but authorities did not report how many victims received it in 2016 or 2017. The government provided repatriation assistance for Brazilian nationals subjected to trafficking abroad, as well as for foreign nationals who were subjected to trafficking in Brazil who wished to return to their country of origin. NGOs and international organizations reported 24 victims received repatriation assistance in coordination with the government during the reporting period. During the reporting period, the government initiated administrative proceedings to pay 49 identified victims in the Inter-American Court of Human Rights' ruling in the Fazenda Brasil Verde case. There were reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking. Authorities imprisoned two Ukrainian trafficking victims for drug smuggling prior to releasing them and allowing their return to Ukraine. In a separate case, authorities imprisoned five Kazakh trafficking victims for drug smuggling prior to releasing them and allowing their return to Kazakhstan.

PREVENTION

The government maintained prevention efforts. The 2013-2016 second national action plan for the elimination of trafficking expired in December 2016. The anti-trafficking inter-ministerial group was in the third of six stages of planning the 2018-2022 third national action plan at the end of the reporting period. Coordination among agencies at the national and state level was uneven and varied in efficacy. State and federal authorities reported reduced budgets and other priorities limited their implementation. The government continued to participate in the Blue Heart campaign focused on raising awareness on the plight of victims and gaining political support for the prosecution of traffickers. Municipal and state governments hosted workshops, trainings, art installations, performances, and roundtable discussions to commemorate World Day against Trafficking. In Sao Paulo, the state NETP conducted three anti-trafficking symposiums and monthly educational outreach trips engaging with representatives from education, industry, city governments, and regional offices. The government established the National Committee to Combat Trafficking in Persons to coordinate activities between NGOs, public, and private sectors and to advise the MJSP on trafficking-related public policies. The MJSP, with assistance from an international organization, completed a report assessing government efforts to investigate, prosecute, and convict trafficking crimes and efforts to identify and assist victims in 2014-2016, which will be publicly released later in 2018. The government operated a human rights hotline that received 13 calls reporting adult sex trafficking cases, 39 cases of child sex trafficking, 61 cases of adult forced labor, and seven cases of child forced labor. The government did not report whether it identified any victims or initiated investigations as a result of calls to the hotline. The MTE published a new version of the *lista suja*, or dirty list, following an October 2017 federal labor court ruling. The list identified individuals and businesses responsible for *trabalho escravo* and listed businesses could not access credit by public and private financial institutions. Authorities continued efforts against child sex tourism by enhancing law enforcement cooperation and information sharing with foreign governments; however, the government did not report any new investigations, prosecutions, or convictions of child sex tourists in 2017. Troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not report providing anti-trafficking training for its diplomatic personnel.

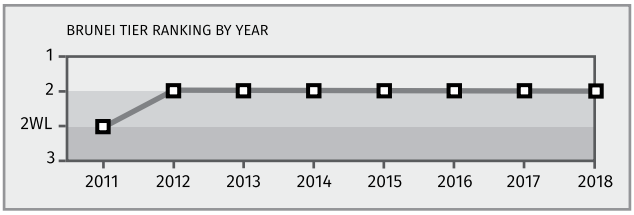
TRAFFICKING PROFILE

As reported over the past five years, Brazil is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Brazilian women and children are exploited in sex trafficking within the country. Brazilian women are subjected to sex trafficking abroad, especially in Western Europe and China. Women and girls from other South American countries, especially Paraguay, are exploited in sex trafficking in Brazil. The estimated 75,000 Venezuelan migrants who have crossed the border into Brazil are vulnerable to trafficking. Transgender Brazilians are forced into prostitution in Brazil. Brazilian men and transgender Brazilians have been exploited in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas; many child sex tourists are from Europe and the United States. Brazilian men, and to a lesser extent women and children, are subjected to *trabalho escravo* and debt bondage in rural areas (including in ranching, agriculture, charcoal production, logging, and mining) and cities (construction, factories, restaurants and hospitality). Brazilian women and children, as well as girls from other countries in the region, are exploited in domestic servitude. Some Brazilian trafficking victims are forced to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Brazilian forced labor victims have been identified in other countries, including in Europe. Men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—are subjected to forced labor and debt bondage in many sectors, including construction, the textile industry (particularly in Sao Paulo), and small businesses. NGOs and officials report some police officers ignore the exploitation of children in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding identification of sex trafficking victims. Government officials and former officials have been investigated and prosecuted for *trabalho escravo*.

BRUNEI: TIER 2

The Government of Brunei does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Brunei remained on Tier 2. The government demonstrated increased efforts by expanding measures to prevent trafficking through migrant worker outreach, accommodating

more victims at its shelter, and carrying out victim screening procedures while strengthening investigations into alleged labor abuses that may amount to trafficking. However, the government did not meet the minimum standards in several key areas. Authorities leveled criminal charges against some foreign victims and deported or fined others for unlawful acts committed as a direct result of having been subjected to trafficking. The government did not initiate any prosecutions or achieve any convictions under its trafficking law.



RECOMMENDATIONS FOR BRUNEI

Increase efforts to investigate, prosecute, convict, and punish both sex and labor traffickers, including complicit government officials, with strong penalties; cease the arrest, deportation, and punishment of trafficking victims for crimes committed as a direct result of their being subjected to trafficking; increase protective services to provide incentives for victims to participate in investigations and prosecutions, including by allowing adult victims in government shelters to move freely and by issuing work permits to all victims; allocate resources for the completion of the pending dedicated trafficking victims' shelter and expand existing shelter services to accommodate adult male trafficking victims; train officials on implementation of proactive procedures to identify trafficking victims among vulnerable groups; train judges on accurate and effective implementation of trafficking laws; allocate government resources to the victims' fund established under the 2004 law and allow those funds to be paid directly to victims as restitution; strengthen efforts to enforce laws prohibiting acts that facilitate trafficking, such as retention or confiscation of migrant workers' identity documents; offer foreign victims long-term alternatives to removal from the country; expand comprehensive and visible anti-trafficking awareness campaigns directed at employers of foreign workers and clients of commercial sex; approve and implement the national action plan; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased law enforcement efforts. The 2004 Trafficking and Smuggling of Persons Order criminalized sex and labor trafficking and prescribed penalties of up to 30 years imprisonment and fines, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The law criminalized travel outside the country for commercial sex with children, prescribing a punishment of up to 10 years imprisonment. Upon referral by other agencies, the human trafficking unit (HTU) of the Royal Brunei Police Force (RBPF) screened for trafficking indicators in cases involving prostitution, unpaid wages, workers fleeing their place of employment, or physical abuse of workers. The RBPF investigated 28 cases of potential trafficking in 2017, compared with an unknown number in 2016 and 66 investigations in 2015. Of these, authorities passed two as alleged trafficking cases to the attorney general's chambers (AGC) for prosecution. In both cases, the AGC determined there was insufficient evidence of trafficking and subsequently prosecuted both cases for non-trafficking offenses. One additional alleged sex trafficking suspect remained under investigation. Authorities did not obtain any convictions under trafficking provisions in 2017, compared to three convictions in 2016, which were the first convictions under trafficking provisions since 2012. In previous years, authorities investigated government officials for complicity in trafficking offenses, including domestic servitude; no such investigations, prosecutions, or convictions took place during the reporting period.

The HTU trained the RBPF, immigration, labor, and anti-vice officers on trafficking and victim identification. Additionally, HTU conducted an outreach program for migrant workers through informational sessions at their respective embassies. The AGC trained multiple government agencies on cross-border control and trafficking.

PROTECTION

The government maintained efforts to protect victims. The HTU continued to employ a standard countrywide identification system to screen and identify potential trafficking victims when apprehending persons in prostitution or when accompanying immigration and labor officials on operations with suspected trafficking indicators. For cases reported directly to police stations and other law enforcement agencies, front-line officers conducted preliminary investigations and then referred them to the HTU. In some cases, authorities employed identification measures only after detaining victims during law enforcement operations and charging them with prostitution. Officials apprehended foreign women and children during brothel raids, and detained and deported many for labor or immigration violations. According to one NGO, this practice perpetuated victims' fear of communicating with law enforcement officers, culminating in significant identification and service provision gaps. The government maintained a secured, general-purpose shelter that was available to all female trafficking victims and male trafficking victims under the age of 18, but required victims to apply to leave the shelter, and only with a chaperone; no facilities were available for adult male trafficking victims. During the reporting period, three individuals received assistance at the shelter, compared to one in the previous period. The government is in the process of renovating a dedicated trafficking shelter, but the completion date was undetermined due to budget constraints.

The 2004 law established a fund to compensate victims and cover repatriation costs. However, convicted traffickers' ability to elect additional prison time in lieu of paying fines resulted in the fund's continued lack of resources. Negotiations continued between relevant ministries regarding government contributions to the fund at the end of the reporting period; as such, the government did not allocate funding for this mechanism. By law, foreign trafficking victims could acquire a temporary stay on deportation while the government works with relevant local embassies to obtain new travel documents or repatriation assistance, and victims were eligible for temporary work passes on an ad hoc basis; the government did not report any victims benefiting from these provisions. The government offered no long-term alternatives to removal for victims who may face hardship or retribution upon return to their home countries.

PREVENTION

The government maintained limited efforts to prevent trafficking. During the reporting period, the government conducted training for labor and immigration officials and NGOs, and it carried

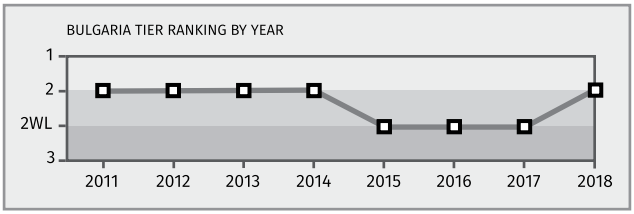
out targeted public awareness-raising campaigns. In 2017, the immigration department conducted two roadshows to educate the public on employment laws, recruitment, and labor rights; the events took place in one of Brunei's most popular malls and were open to the general public. The government disseminated information to the public making it clear employers should not withhold workers' passports, but it did not initiate any prosecutions against employers or agencies for passport retention; the practice remained widespread. With in-kind government support, including subject matter expertise, a local NGO organized a two-part awareness campaign and exhibition, featuring panel discussions with professionals from the government and civil society, which reviewed trafficking issues in Brunei. The government did not complete its draft national action plan to combat trafficking, but authorities reported implementing its provisions. Government-influenced media continued to publish articles related to trafficking—particularly regarding investigations and legal proceedings against employers suspected of labor violations—as well as the list of registered employment agencies in both English and Malay. In an effort to prevent labor abuses, the government assigned dedicated liaison officers to construction projects that employ a significant number of migrant workers. The government increased public messaging on the consequences of violating workers' rights and labor laws, but did not make efforts to decrease the demand for commercial sex acts. Although Brunei did not accede to the 2000 UN TIP Protocol, the AGC completed the Anti-Trafficking in Persons Order of 2017, which paves the way for accession.

TRAFFICKING PROFILE

As reported in the last five years, Brunei is a destination and transit country for men, women, and children subjected to forced labor and sex trafficking. There are approximately 100,000 foreign migrant workers in Brunei from regional countries, with a significant increase in mainland Chinese nationals in 2017 as construction at a Chinese-funded petrochemical plant accelerated. Some government officials have expressed concern that the increase in migrant workers could lead to an increase in prostitution and potentially sex trafficking. Men and women migrate to Brunei primarily for domestic and construction work, or on social visit passes or tourist visas. Upon arrival, some are subjected to involuntary servitude, debt bondage, non-payment of wages, passport confiscation, physical abuse, or confinement. Some migrants who transit Brunei become victims of sex or labor trafficking upon arrival in Malaysia or Indonesia. Although it is illegal for employers to withhold wages of domestic workers for more than 10 days, some employers withhold wages to recoup labor broker or recruitment fees, or to compel the continued service of workers. Retention of migrant workers' travel documents by employers or agencies remains a widespread practice, although the law prohibits it.

BULGARIA: TIER 2

The Government of Bulgaria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts compared to the previous reporting period; therefore Bulgaria was upgraded to Tier 2. The government demonstrated increasing efforts by allocating more funding for victim services and opening two new facilities in Sofia for trafficking victims, including a crisis center for child victims. Authorities identified more victims—more than doubling the number of labor trafficking victims it identified in 2016—and convicted more traffickers. The government also approved a five-year national anti-trafficking strategy for 2017-2021. However, the government did not meet the minimum standards in several key areas. Judges and prosecutors continued to lack training on working with trafficking victims and cases, which had negative effects on witness protection, victim compensation, and sentencing for perpetrators. Courts continued to issue suspended sentences for most convicted traffickers. Officials' lack of knowledge of trafficking indicators hindered effective victim identification, especially among foreign nations and women exploited in prostitution. Corruption in law enforcement and the judiciary continued to hinder progress and investigations into complicit officials rarely led to criminal punishment.



RECOMMENDATIONS FOR BULGARIA

Hold convicted traffickers accountable with prison terms; enhance efforts to investigate and prosecute sex and labor trafficking cases; vigorously investigate, prosecute, and convict government officials complicit in trafficking, and hold convicted officials accountable with prison terms; proactively identify potential trafficking victims, especially among women exploited in prostitution; enhance efforts to train law enforcement officials, prosecutors, and judges to understand the severity of sex and labor trafficking crimes and its impact on victims; increase financial support for anti-trafficking activities, including for implementing objectives in the national strategy and national program, and training officials on victim identification; provide knowledgeable legal counsel and courtroom protections for victims assisting prosecutions; provide specialized services to child victims, including unaccompanied minors; and streamline the victim compensation process and increase the number of victims receiving compensation.

PROSECUTION

The government increased law enforcement efforts. Articles 159a-159d of the criminal code criminalized sex and labor trafficking and prescribed penalties of two to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2017, police initiated 81 investigations, prosecutors indicted 80 defendants, and courts convicted 59 traffickers; this is compared with 85 investigations, 73 prosecutions, and 35 convictions in 2016. Of the 59 convicted traffickers, only 18 (31 percent)received a prison sentence that was not suspended, a similarly low rate as in the previous four years. As in 2016, the government did not report the range of prison sentences imposed on convicted traffickers. Courts issued fines to 29 convicted traffickers in 2017, compared with eight in 2016 and 23 in 2015. Judges reportedly prescribed lesser penalties to sex traffickers if their victims had initially entered prostitution willingly, despite Bulgarian and international law deeming past experience in prostitution irrelevant when there was subsequent exploitation. In 2017, the government participated in six joint investigations with other foreign governments. Among the investigations,

police from Bulgaria and Sweden targeted an organized crime group recruiting Bulgarians for forced begging in Sweden; the investigation resulted in 12 suspected traffickers arrested and charged. In addition, Bulgarian and Spanish authorities investigated an organized crime syndicate recruiting women for sexual exploitation; 31 suspected traffickers were arrested.

Corruption in law enforcement and the judiciary, selective prosecution, and long trials continued to hinder progress. Authorities initiated two investigations involving police officers who allegedly assisted pimps and traffickers. Separately, prosecutors of the anti-corruption unit initiated an investigation of several police supervisors who allegedly received bribes from a resident of Dobrich engaging in forced prostitution. Additionally, courts prosecuted two complicit officials for extortion of criminals involved in prostitution and pimping; the trials were ongoing at the close of the reporting period. Observers noted the government lacked resources to investigate cases and local anti-trafficking commissions lacked information materials and training. Observers also reported judges, prosecutors, and law enforcement officials needed training on working with and sensitivity toward trafficking victims. The national anti-trafficking commission provided specialized training for 60 local-level investigators, police, lawyers, prosecutors, and judges on applying the national referral mechanism, new trends and challenges, and future steps in combating trafficking. The commission also collaborated with a research foundation to provide training on improving interaction between lawyers and judges for better protection of trafficking victims; more than 40 lawyers, prosecutors, judges, investigators, and legal advocates participated.

PROTECTION

The government increased efforts to protect victims. Based on open pre-trial investigations in 2017, the prosecution service identified 407 victims (323 of sex trafficking, 67 of labor trafficking, and 17 of forced servitude), compared with 365 victims (329 victims of sex trafficking, 31 of labor trafficking, and five of both sex and labor trafficking) in 2016. Forty-two of the identified victims were children (21 in 2016). Authorities identified five potential foreign victims from Burkina Faso, Nigeria, Guinea, Sierra Leone, and Thailand during the year, compared with one foreign victim in 2016. However, observers alleged law enforcement could not effectively identify victims, particularly labor trafficking victims and victims among third country nationals. Additionally, reports indicated police did not proactively search for signs of trafficking among women detained for prostitution, and prosecutors and judges lacked sensitivity when interacting with sex trafficking victims. Law enforcement officials, prosecutors, investigators, and labor inspectors received training on trafficking, including on identification; those trainings were mostly funded by international grants and NGOs. Pre-trial authorities formally identified all trafficking victims, and the commission referred victims to services. The government co-funded projects with international donors, allocating 15 percent of the total costs. In 2017, the government spent 376,000 lev ($230,530) for services and implementation of the annual national anti-trafficking and victim protection program with an additional 254,000 lev ($155,730) from international donors. The government also co-funded 15 percent of the 390,000 lev ($239,120) allocated for shelters and crisis centers in Sofia and Varna, including the crisis center for children in Sofia. The government opened two new NGO-operated facilities in Sofia for trafficking victims: a shelter and a center (in one facility) for temporary accommodation of adult victims and a crisis center for child victims. The government also contracted NGOs to operate two centers offering consultative services for trafficking victims and three shelters offering residential services. Furthermore, 23 publicly-run crisis centers offered social services to children and women victims of violence, including trafficking. The centers provided support, counseling, and accommodations to 144 trafficking victims. Child victims could stay in centers for up to six months at which point child protection services could place them with relatives, a foster family, or another residential care institution. In March, the council on child protection began to institute a specialized service for referral and accommodation of unaccompanied minors with a view to providing them with care separately from adults. There were no specialized accommodation options or services for male victims.

The law allowed foreign victims who cooperated with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation, although no foreign victims had applied for this status. For foreign victims who chose not to assist in trafficking investigations, the government provided a 40-day recovery period (70 days for foreign child victims) before repatriation. The law accorded victims anonymity during the pre-trial and trial phases, but authorities rarely implemented this provision, resulting in victims changing their statements out of fear, intimidation, and bribery. Observers noted many victims did not cooperate with law enforcement because they did not believe the judicial system would protect them from re-traumatization, effectively administer justice, and convict perpetrators with meaningful sentences. Observers reported victims lacked support during criminal cases, as the state reportedly did not provide knowledgeable legal counsel during trials. Victims were often required to give testimony in the presence of the alleged trafficker, and it was common practice for alleged traffickers to confront their victims in court and question them through their lawyers. Observers reported the process for seeking compensation continued to be overly bureaucratic and discouraged victims from making claims; as a result, no victims received compensation.

PREVENTION

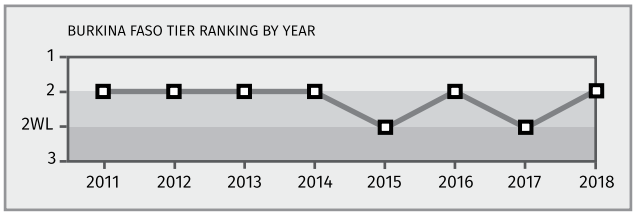
The government increased prevention efforts. The government adopted and approved a five-year national anti-trafficking strategy for 2017-2021. The government also adopted a national program for combating human trafficking and victim protection, focusing on prevention among at-risk populations, more effective victim identification, and better support for survivors. NGOs assessed the goals in the strategy and program as relevant and realistic; however, they expressed concern about sustainability since international donors and projects funded most of the activities. The national commission held a conference on labor exploitation, aimed at improving the multidisciplinary cooperation through best practices and information sharing. The commission also conducted a national campaign dedicated to internet and social networks as recruitment tools. The campaign included web banners on popular job and dating websites that clicked through to a special information page. The government conducted 152 inspections of labor recruitment firms and identified 464 violations. The government also conducted 175 inspections of temporary employment agencies and identified 731 violations, and conducted 530 inspections of employers sending posted workers in EU countries and identified 2,781 violations. The commission conducted a study mapping areas of the country considered high risk for trafficking and published the findings on its website. The government demonstrated efforts to reduce the demand for commercial sex and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Bulgaria is a source and, to a lesser extent, transit and destination country for men, women, and children subjected to sex trafficking and forced labor. Bulgaria remains one of the primary source countries of human trafficking in the EU. The government and NGOs report a significant increase in the number of Bulgarian and Roma victims subjected to forced servitude, particularly in Poland, Spain, and the United Kingdom. Bulgarians of Turkish ethnicity and Romani women and girls, some as young as 13 years old, account for most of the sex trafficking victims identified in Bulgaria, particularly in the capital, resort areas, and border towns. Bulgarian women and children are subjected to sex trafficking throughout Europe. Victims are increasingly exploited through a combination of sexual and labor exploitation, including domestic servitude. Traffickers subject Bulgarian men and boys to forced labor across Europe, predominantly in agriculture, construction, and the service sector. Bulgarian children and adults with disabilities are forced into street begging and petty theft within Bulgaria and abroad. Romani children are also vulnerable to forced labor, particularly begging and pickpocketing. Bulgaria is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Africa and Southeast Asia. Government corruption in law enforcement and the judiciary continues to enable some trafficking crimes, and officials have been investigated for suspected involvement in trafficking.

BURKINA FASO: TIER 2

The Government of Burkina Faso does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Burkina Faso was upgraded to Tier 2. The government demonstrated increasing efforts by reporting law enforcement data for the first time in two years, convicting 61 traffickers; identifying adult and child trafficking victims and referring them to care; removing children from exploitative conditions in the mining sector; and increasing collaboration between government ministries and NGOs on victim protection. However, the government did not meet the minimum standards in several key areas. All sentences imposed on convicted traffickers were below the minimum penalties set forth in the 2008 anti-trafficking law. The government did not adequately fund the police anti-trafficking unit or protective services, nor did it make efforts to address child forced begging by unscrupulous *marabouts* (religious instructors) in Quranic schools.



RECOMMENDATIONS FOR BURKINA FASO

Increase efforts to investigate, prosecute, and convict traffickers—including corrupt *marabouts* and traffickers posing as *marabouts* who exploit children in forced begging, and complicit officials—and apply terms of imprisonment as prescribed in the 2008 anti-trafficking law; increase funding for police and security force units charged with investigating trafficking crimes; increase funding and in-kind support for victim services, including long-term services and social reintegration; train law enforcement to identify victims among vulnerable populations, including women in prostitution and children in agriculture and mining, and refer them to protective services; train law enforcement, prosecutors, and judicial officials on investigating and prosecuting trafficking cases, including cases that do not involve movement; investigate recruitment agencies suspected of fraudulently recruiting women for exploitation abroad; strengthen the system for collecting law enforcement and victim identification data; increase the availability of shelter and services for all victims, including adults; work with NGOs to raise awareness of trafficking, especially forced begging in Quranic schools and trafficking that does not involve movement; draft a national action plan to combat trafficking; and improve coordination among the anti-trafficking and child protection committees through funding, convening regularly, and sharing data.

PROSECUTION

The government increased law enforcement efforts. The 2008 anti-trafficking law criminalized labor and sex trafficking and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government began revising its penal code to increase the terms of imprisonment for human trafficking crimes from five to eleven years; the revisions were awaiting approval from the Council of Ministers at the end of the reporting period.

For the first time in two years, the government reported data on anti-trafficking law enforcement efforts. Between March 2016 and March 2018, 25 courts investigated, prosecuted, and convicted 61 traffickers. Courts reported data in different formats, so it was unclear exactly how many additional investigations and prosecutions were ongoing at the end of the reporting period. This was a significant increase from the previous reporting period, when the government reported 78 investigations but did not report data on prosecutions or convictions. Among the 61 convictions, 16 traffickers received prison sentences of between three months and three years imprisonment. Judges sentenced 45 traffickers to either a fine or a suspended sentence, which was inconsistent with the penalties prescribed in the 2008 anti-trafficking law. The government did not report if it continued to investigate the 78 investigations pending at the close of the previous reporting period, including investigations into debt bondage, forced begging in Quranic schools, sex trafficking, and the fraudulent recruitment of more than 47 women for domestic servitude in various Middle Eastern countries. While at least one court from all 13 administrative regions reported data, the courts that reported data only represented 25 of 45 sub-regional provinces. The government did not report any investigations, prosecutions, or convictions for forced begging in Quranic schools, despite the prevalence of this form of trafficking in the country. Due to a lack of funds, the police did not complete any investigations into child forced labor in artisanal mines, despite reports of exploitative child labor. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption remained a concern. Authorities alleged some officials exerted pressure over police and judiciary to drop labor trafficking cases, especially in the mining sector. An international donor provided anti-trafficking

training for some law enforcement officials. The government did not provide funding to police specifically for anti-trafficking activities, which impeded law enforcement and security forces' investigation of trafficking offenses.

PROTECTION

The government increased efforts to identify trafficking victims. With data from all 45 provinces, the government reported identifying 1,740 trafficking victims, an increase from 1,407 potential victims identified in 40 provinces the previous reporting period. Among the victims identified, the government reported Nigerian girls in sex trafficking within Burkina Faso and Burkinabes exploited abroad in forced labor in Libya and sex trafficking in Lebanon. This is a contrast from previous years, when the government primarily identified Burkinabe and West African children intercepted while being transported, sometimes in large numbers on trucks or buses, to destinations where they could have faced exploitation, typically in gold mines or in city centers as domestic servants or street beggars. The government also identified and removed 1,284 child laborers from 86 artisanal gold mining sites in six provinces, some of whom might have been trafficking victims, and provided food, clothing, shelter, health care, and legal assistance to 25 of these children. An international organization provided assistance and repatriation to 22 additional female sex trafficking victims from Nigeria, some of whom the government had identified and referred to the organization for care. A second NGO identified 12 Malian girls in domestic servitude and provided care. The government had standard victim identification and referral procedures; in regions where authorities and front-line responders had been trained, such procedures worked efficiently. In addition, the government validated and disseminated throughout the country a case management guide for law enforcement and social services personnel to facilitate the uniform referral of child victims of crime, including trafficking, to care, and distributed 1,000 copies of a children's rights guide to social service actors to improve their knowledge of the care options available for vulnerable children.

The government operated and staffed one shelter in Ouagadougou; the shelter was open 24 hours per day and could accommodate long-term stays for both adults and children; the government referred 250 trafficking victims to the shelter during the reporting period, and they received shelter, food, and medical assistance. Outside of the capital, the government operated 35 regional protection offices that could provide psychological, social, and food assistance. These offices provided short-term services, but usually not shelter, to at least 108 Burkinabe and foreign child trafficking victims; the offices only operated during weekly business hours and when they had sufficient funding. The government and NGOs disbursed 61 million West African CFA francs (FCFA) ($108,480) to these offices during the reporting period for health care, education, vocational training, family reunification, and social workers; this was in addition to the funding the government provided for the shelter and office staffs' salaries. The protection offices relied heavily on local NGOs and international organizations for the majority of support. When trafficking victims outside of Ouagadougou required shelter, authorities and NGOs nearly always placed victims with host families or an NGO. Outside of Ouagadougou, there were no shelters or services specifically for adults; however, the government shelter and regional protection offices could accommodate adults when necessary. Long-term care for all victims remained inadequate. The government acknowledged victim services were insufficient, and service providers lacked the funding and resources to support victim protection, rehabilitation and reintegration, which resulted in many victims being subjected to re-trafficking. The 2015 law on the prevention and repression of violence against women and girls mandated measures for victim support, including the establishment of free emergency integrated support centers to offer comprehensive support services for women and girl victims of violence, including sexual slavery, and the creation of a government support fund for victims. The government had one such center during the reporting period and allocated 5 million FCFA ($8,890) to it in 2017, a significant increase from 1.68 million FCFA ($2,990) allocated in 2016. The ministry did not report how many victims it referred to this center during the reporting period.

The government did not have a formal policy to encourage victims to participate in trials against their traffickers but encouraged victims to do so by providing protection through the Ministry of Women, National Solidarity, and Family; a regional human rights office; or foreign victims' embassies. The government did not report if victims could legally file civil suits against their traffickers or otherwise obtain restitution. Foreign victims who face hardship or retribution in their country of origin could apply for asylum, but there were no reports trafficking victims applied for asylum during the reporting period. The government provided travel documents to facilitate repatriation of foreign trafficking victims identified in Burkina Faso and Burkinabes exploited in Lebanon. It transported Burkinabe trafficking victims repatriated from Libya, Nigeria, and Lebanon to the Ouagadougou shelter for care and, with an international donor, provided shelter, food, medical care, psychological support, and family reunification. There were no reports of trafficking victims penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform implementation of victim identification measures, including among vulnerable populations, some victims could have been left unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. The Ministry of Women, National Solidarity, and Family led the national anti-trafficking committee, which coordinated government anti-trafficking efforts. The committee met once during the reporting period but continued to lack the resources to plan future initiatives or take proactive measures to combat trafficking. The hybrid government-NGO working group for child protection functioned more effectively, so the government used this body to coordinate and share information on child protection and child trafficking issues. The anti-trafficking committee had sub-committees at the regional, provincial, and departmental levels to coordinate locally; subcommittees were composed of police, social workers, transit companies, NGOs, and other regional stakeholders, and they coordinated administrative efforts to support anti-trafficking law enforcement activities and victim protection and collected anti-trafficking data for the national committee's annual report. These groups, also responsible for intercepting traffickers and identifying victims, lacked resources for day-to-day operations, and the government did not report how many groups met during the reporting period. The government did not report allocating any funding to these committees, compared to allocating 300,000 FCFA ($530) to each of the 24 networks in the previous reporting period. Despite the existence of the various anti-trafficking committees and child protection working groups, inter-governmental communication on anti-trafficking issues remained lacking and inhibited progress. The government

did not have or begin drafting an anti-trafficking national action plan. Some regional and provincial directorates of the Ministry of Women, National Solidarity, and Family organized awareness-raising campaigns on the signs and dangers of trafficking and child labor.

The government identified and removed children from mining through its 2015-2019 national program to combat child labor in artisanal mines, although the government did not devote any funding or resources to implement other tenets of the plan. The Ministry of Women, National Solidarity, and Family continued to provide monitoring services and assistance to 20,000 freed child miners to reduce their vulnerability to additional child or forced child labor. The government continued to operate a hotline to report cases of violence against children, including trafficking, and allocated 4 million FCFA ($7,110) to the hotline during the reporting period. The hotline operated during weekdays and did not receive any reports of trafficking during the reporting period. Unlike previous years, the government did not allocate any funding for vocational training for the social reintegration of young street children vulnerable to trafficking.

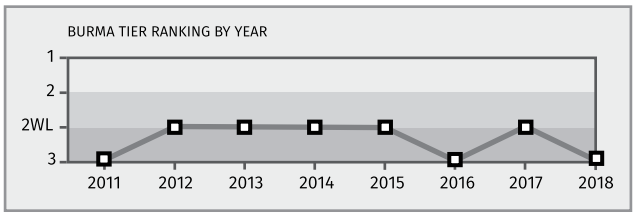
The government did not report any policies to prevent the fraudulent recruitment or exploitation of Burkinabes abroad, despite reports that such exploitation occurred. The Labor Inspectorate increased its number of labor inspectors from 154 to 169 during the reporting period, all of whom received basic training on child labor laws, although it did not report the number of inspections carried out or any child labor violations detected. The government did not make any efforts to reduce the demand for forced labor or commercial sex acts. The government did not report providing anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided Burkinabe troops with anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Burkina Faso is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Traffickers promise families educational opportunities but instead force Burkinabe children to labor as farm hands, gold panners and washers in artisanal mines, street vendors, and domestic servants. In some cases, parents know their children will be exploited in domestic servitude but allow the exploitation to supplement the family income. Unscrupulous *marabouts* force children to beg in Quranic schools, sometimes with parents' knowledge. Girls are exploited in sex trafficking in Ouagadougou and in mining towns. Burkinabe children—including orphan street children—are transported to Cote d'Ivoire, Mali, and Niger for forced labor or sex trafficking. To a lesser extent, traffickers recruit women for ostensibly legitimate employment in Lebanon, Qatar, Saudi Arabia, and—to a lesser extent—Europe and subsequently subject them to forced prostitution. Burkinabe women are also exploited in domestic servitude in the Middle East. During the reporting period, an international organization repatriated approximately 895 Burkinabe adults from Libya, some of whom were exploited in forced labor in construction and agriculture and forced prostitution in Libya. Burkina Faso is a transit country for traffickers transporting children from Mali to Cote d'Ivoire and women and girls from Cote d'Ivoire to Saudi Arabia, and it is a transit county for Ghanaian migrants traveling to Libya and Italy, some of whom are trafficking victims. Children from neighboring countries, including Cote d'Ivoire, Ghana, Guinea, Mali, Niger, and Nigeria, are subjected to forced labor and sex trafficking. Women from other West African countries are fraudulently recruited for employment in Burkina Faso and subsequently subjected to forced prostitution, forced labor in restaurants, or domestic servitude. Nigerian girls are exploited in sex trafficking in Burkina Faso. In past years, authorities have identified Nepalese traffickers subjecting Tibetan women to sex trafficking in Burkina Faso and Sri Lankan citizens transiting Burkina Faso allegedly en route to forced labor in a third country.

BURMA: TIER 3

The Government of Burma does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burma was downgraded to Tier 3. Despite the lack of significant efforts, the government continued to prosecute and convict traffickers, and it identified more victims than the previous year. It also committed resources to awareness-raising efforts aimed at preventing child soldier recruitment and use. However, Burmese armed forces (Tatmadaw) operations in Rakhine State dislocated hundreds of thousands of Rohingya and members of other ethnic groups, many of whom were subjected to exploitation in Burma, Bangladesh, and elsewhere in the region as a result of their displacement. While the Tatmadaw continued efforts to identify and demobilize child soldiers among its ranks, verified incidents of unlawful child soldier recruitment and use continued, and the government took punitive action against former child soldiers for desertion, alleged fraud, and defamation. Authorities continued to prevent the UN from playing a constructive role in eradicating the recruitment and use of children by ethnic armed groups (EAGs)—a practice that reportedly increased due to the security situation in restive areas. The Tatmadaw continued to require troops to source their own labor and supplies from local communities, thereby perpetuating the labor exploitation of adults and children. There were reports that government officials were complicit in both sex and labor trafficking, including by hindering law enforcement efforts against the perpetrators. The government reported some efforts to seek criminal accountability for officials complicit in trafficking, but not for the recruitment and use of child soldiers.



RECOMMENDATIONS FOR BURMA

Cease all unlawful recruitment and use of children by armed forces and make efforts to end the practice among non-state groups, including by supporting the UN's efforts to enter into child demobilization agreements with EAGs; cease arresting, detaining, and punishing victims—including minors absconding from Tatmadaw service—for acts committed while subjected to trafficking; cease official involvement in compelling civilians to perform any type of forced labor, including by reforming the "self-reliance" policy that drives the demand for forced labor and child soldier conscription; strengthen efforts to identify, prosecute, and convict individuals—including Tatmadaw and

other government officials and civilian brokers—complicit in sex and labor trafficking, including the unlawful recruitment and use of child soldiers, and apply stringent penalties, including jail time; implement formal procedures to proactively identify victims among vulnerable groups and refer them to service providers, with an emphasis on communities displaced by conflict; strengthen efforts to prioritize and significantly increase government funding for victim protection efforts, including victim shelters, provision of services for male victims, and reintegration support for former child soldiers; enhance law enforcement and justice sector efforts to retain suspected traffickers under pre-trial detention during court proceedings to reduce their risk of flight and the prevalence of convictions in absentia; amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion are not required to constitute a child sex trafficking offense; in partnership with civil society groups and regional authorities, develop and implement oversight mechanisms to prevent forced labor in precious gemstone mining, with a focus on jade mining in Kachin State; and provide legal status to stateless persons in Burma to decrease their vulnerability to exploitation.

PROSECUTION

The government maintained law enforcement efforts. The 2005 Anti-Trafficking in Persons Law criminalized all forms of labor trafficking and some forms of sex trafficking. However, inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of five to 10 years imprisonment and a fine for trafficking offenses involving male victims, and penalties of 10 years to life imprisonment for trafficking offenses involving female or child victims. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Forced labor, including the recruitment of children into the Tatmadaw, was a criminal offense under the 2005 Anti-Trafficking Law, the 2012 Wards and Village Tracts Administration Act, and penal code section 374. The Tatmadaw reportedly continued to cite unknown provisions in military law to punish individuals who used or recruited children for purposes of exploitation; the government did not provide information about the identities of these individuals or their punishments in 2017, but those applied in prior years—including demotions and geographic reassignments—were disproportionately low compared to the seriousness of the crime. In 2017, the government continued a legal review to redraft and strengthen the 2005 anti-trafficking law. For the second consecutive year, a draft child protection law establishing clearer penalties for civilians and Tatmadaw personnel convicted of child soldiering offenses remained under parliamentary consideration at the end of the reporting period.

In 2017, the government reported investigating 185 trafficking cases (95 in 2016). Of these, 22 were cases of forced labor (46 in 2016), including one case of domestic servitude and 21 cases related to fishing, manufacturing, palm oil farming, and jade and precious stone mining. Most of the government's law enforcement efforts continued to focus on sex trafficking or the involuntary domestic servitude of Burmese women through forced marriages to Chinese men. Authorities reported prosecuting 532 individuals—an increase from 145 in 2016—but a significant number of these were conducted in absentia. Courts convicted 156 of these traffickers, compared with 145 in 2016. All 156 convicted traffickers received sentences of at least five years imprisonment, but only 86 went to prison; the remaining 70—who were not kept in pre-trial detention during the proceedings—absconded, were convicted in absentia, and remained at large at the end of the reporting period.

The Anti-Trafficking in Persons Division (ATIPD) maintained dedicated anti-trafficking task force (ATTF) police throughout the country and continued to modestly increase the number of officers among 29 regional offices. ATIPD leadership traveled throughout the country to brief regional offices of the government's Central Body for the Suppression of Trafficking in Persons (CBTIP) on trafficking investigations. It also reported hosting 29 workshops, 17 training sessions, and two coordination meetings on trafficking for government officials with foreign donor assistance. Civilian police capacity to address trafficking continued to improve, but overall progress was limited in the absence of key criminal justice reforms and amid ongoing organizational concerns. A lack of clarity between the roles and responsibilities of ATTF officers and general Myanmar Police Force (MPF) officers, coupled with poor police-prosecutor cooperation and rapid law enforcement turnover, continued to hamper the success of investigations and prosecutions. MPF officers often perceived they did not have the authority to pursue investigations proactively, believing instead that trafficking crimes fell solely under ATTF jurisdiction. Some MPF officers therefore turned away victims attempting to report their abuses. ATTF officers continued to consult and cooperate with law enforcement agencies in China, Laos, and Thailand as part of formal dialogues on trafficking issues; however, observers noted frequent turnover among ATTF officers prevented Burma from participating meaningfully in some of these cooperative mechanisms.

Some law enforcement officers reportedly facilitated or profited from the sexual exploitation of women and girls. Corruption and impunity reportedly continued to hinder the enforcement of trafficking laws; police officers acting on bribes, as well as individuals claiming to have ties to high-level officials, purportedly pressured victims not to seek legal redress against their traffickers in some cases. NGOs alleged some government officials were connected to or profited from entertainment establishments engaged in the sex trafficking of women and girls; despite these allegations, authorities did not report investigating or initiating prosecutions against any government officials suspected of complicity in trafficking crimes. Courts convicted two low-ranking police officers for their involvement in trafficking cases in 2017 and sentenced them to six years and 20 years imprisonment, respectively. According to NGO reports, the ATTF raided and arrested the managers of several karaoke bars and other establishments for alleged sex trafficking; in each case, the owners of the establishment absconded prior to the raid, leading to suspicions of advance warning from internal police contacts. An NGO provided services to several Burmese sex trafficking victims identified at the Chinese border by a police officer, who in turn threatened to arrest them unless they each paid a bribe. The same NGO assisted an underage sex trafficking victim who escaped captivity in a Rangoon brothel and fled to the MPF; rather than investigating her case and referring her to protective services, an officer confined her to his home and subjected her to one month of forced sexual servitude before she escaped again.

The power and influence of the Tatmadaw limited the ability of civilian police and courts to address cases of adult forced labor and child soldier recruitment and use by the armed forces. There was no evidence that any soldiers accused of trafficking crimes had ever been prosecuted in civilian courts, nor had the government ever prosecuted a civilian for child soldier

recruitment, despite the prevalence of civilian recruitment brokers. The Ministry of Defense (MOD) reported taking unspecified disciplinary action against 19 Tatmadaw personnel for child soldier recruitment in 2017; this was a decrease from 36 personnel punished in 2016, despite the verification of more cases during the reporting period. The MOD did not report punitive measures for Tatmadaw personnel guilty of subjecting adults to forced labor. In past years, most of these cases reportedly culminated in reprimands, fines, or decreases in pension—penalties significantly less than those prescribed by criminal law.

PROTECTION

The government maintained inadequate victim protection efforts. Authorities continued to rely on neighboring countries' screening and referral measures for the majority of victims identified. Police reported identifying or receiving foreign governments' referrals for 289 sex and labor trafficking victims in 2017, including 54 men and 235 women and girls (163 in 2016). The exact number of domestic victims identified by Burmese authorities was unknown, but police reported assisting victims in 44 cases of trafficking within the country (unreported in 2016). The government did not undertake victim screening or service provision efforts among vulnerable ethnic minority communities displaced by conflict in Rakhine State. The Tatmadaw granted most UN monitors' requests within 72 hours to access and inspect military installations for the presence of children, although the UN reported the Tatmadaw might have carefully controlled these visits and removed problematic indicators in advance. The Tatmadaw did not allow UN monitors to access its prisons and at times restricted humanitarian access to IDP camps. An uptick in violence in Rakhine State and continued conflict in Kachin and Shan states also constrained monitoring efforts. International monitors had verified at least 49 cases of child recruitment by the Tatmadaw in the first half of 2017 (101 in all of 2016), the youngest of which involved a 13-year-old. The UN reported methods of recruitment in these cases included force and coercion perpetrated by both civilian and military brokers. More than 100 additional unverified cases of recruitment were under review at the end of the reporting period. The government reported releasing 49 individuals originally recruited as children from the Tatmadaw through implementation of its UN-backed action plan on child soldiers (112 in 2016); it was unclear if these corresponded to the aforementioned 49 verified cases. Observers attributed the continued trend of recruitment and use to a spike in military conflict in several areas of the country, including Rakhine State. In addition to having formally recruited at least 49 children into its ranks, the Tatmadaw and its affiliate militias continued to use children for labor or other support roles, including barracks cleaning, portering, and cooking. There were at least 13 documented cases of children in such support roles in 2017, one of which involved more than 200 children.

NGOs continued to report cases in which the Tatmadaw detained and filed desertion charges against children absconding from its ranks. Two suspected minors detained on desertion charges were released and put on "light duty" during the reporting period. Using new biometric registration technology, authorities prevented 11 minors from enlisting in the Tatmadaw in 2017; however, the Tatmadaw filed fraud charges against some of these children for lying about their age, rather than referring them to protection services. The officer in charge of several Tatmadaw installations reportedly issued a written decree threatening any minors secretly enlisted under his command with jail time if they failed to come forward for demobilization prior to March 1, 2018. NGOs believed this policy might have dissuaded some minors from benefitting from demobilization services toward the end of the reporting period. Authorities convicted a former child soldier on defamation charges after he relayed his experience to an international media outlet; he was sentenced to two years in prison in April 2018. This may have further discouraged child soldiers from coming forward and accessing protective services.

The government continued to operate five centers for women and children who were victims of violent crime; all five could shelter trafficking victims, and one was dedicated to female trafficking victims. Another housed repatriated trafficking victims. These victims also had the option to stay in transit centers prior to their reintegration, but it was unclear how many victims benefitted from this provision in 2017. The government also operated three facilities funded by a foreign donor that could serve both men and women. It did not report the total number of victims receiving services in these facilities, or whether shelters housed any men. Services in government facilities remained rudimentary, but authorities modestly increased funding allocation to trafficking victim protection, and some victims received psycho-social counseling, travel allowances, support for obtaining official documents, and assistance in returning to home communities. Overall government support to demobilized child soldiers remained minimal, with most services provided by civil society partners. NGOs and foreign donors funded and facilitated delivery of most services available to trafficking victims. Longer-term support was limited to vocational training for some former child soldiers and women in major city centers and border areas; the lack of adequate protective measures for victims—particularly males—left them vulnerable to re-trafficking. The government did not have adequate procedures for assisting victims identified abroad, and diplomatic missions overseas largely lacked adequate funding or capacity to provide basic assistance or repatriate victims. However, the government maintained labor attachés in Thailand, Malaysia, and South Korea, whose responsibilities included assisting trafficking victims.

The government also maintained Department of Social Welfare (DSW) offices throughout the country, each with full-time case managers, to provide health care, reintegration assistance, psycho-social care, and legal services to trafficking victims, including child soldiers. However, DSW continued to lack the resources necessary to adequately provide these services to trafficking victims, and high ATTF turnover and lack of awareness impeded the coordination required to ensure victims identified by law enforcement officers would be connected to DSW protection. While police and border officials continued to proactively identify suspected victims en route to China for marriages likely to result in sex or labor exploitation, or to Thailand for potential sex trafficking, authorities did not follow standardized, nationwide procedures or receive adequate training for the proactive identification of victims. The government appointed state and regional border affairs officials to lead local branches of the CBTIP in order to improve interagency coordination; however, some NGOs expressed concern that the change could hamper victim identification and protection efforts, particularly among domestic victims.

Trafficking victims frequently declined to cooperate with authorities due to the lack of adequate victim protection or compensation programs, language barriers, a lengthy and opaque trial process, fear of repercussions from their traffickers, and general mistrust of the legal system. A cumbersome

investigative process required victims to give statements multiple times to different officials, increasing the likelihood of re-traumatization. Restrictions on contact between victims and prosecutors further impeded case-relevant communication and further obfuscated the court process for some victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. Authorities reportedly arrested sex trafficking victims for prostitution due to inadequate efforts to screen for indicators of trafficking during anti-prostitution interventions.

PREVENTION

The government maintained prevention efforts. CBTIP continued to coordinate anti-trafficking programs and policies, but a draft five-year comprehensive trafficking prevention strategy initiated in 2016 remained under presidential review at the end of the reporting period. A 2014 directive prohibiting the use of children by the Tatmadaw remained in place. The government interfered with progress on a significant trafficking problem in the country by not allowing the UN to enter into child demobilization agreements with EAGs. Although oversight and monitoring of recruitment procedures remained insufficient to prevent child recruitment, the Tatmadaw continued to employ age verification measures and provide enlisted personnel, training centers, and recruitment officials with age assessment and child soldier prevention trainings. However, the Tatmadaw did not reform its "self-reliance" policy, which continued to make adults and children, particularly members of stateless ethnic minority groups, vulnerable to forced labor.

Ethnic minority groups in Burma—particularly internally displaced Rohingya, Rakhine, Shan, and Kachin communities—continued to be at elevated risk of forced labor as a result of ongoing military incursions. Rakhine groups fleeing the Tatmadaw incursion were especially vulnerable to forced labor in EAG-owned jade mines in Kachin state during the reporting period; some Rakhine individuals paid EAG-run brokerages to facilitate this internal migration, incurring large debts in the process and increasing their vulnerability to debt bondage. EAGs also increased their recruitment and use of child soldiers during the reporting period, likely spurred by an uptick in violence in several areas of the country and the Tatmadaw's refusal to allow international organizations to begin demobilization work with EAGs. Ethnic cleansing in northern Rakhine State following insurgent attacks on security posts also generated the mass migration of hundreds of thousands of Rohingya into neighboring Bangladesh, where many of them were subjected to exploitation—or transported to other countries for the purpose of sex trafficking—as a result of their displacement.

The government was unsuccessful in providing citizenship and identity documents to nearly one million men, women, and children in Burma—most of whom self-identified as Rohingya and lived in Rakhine State. The lack of legal status and identity documents significantly increased the vulnerability of this population to trafficking in Burma and in other countries. Authorities continued to offer a citizenship verification process pursuant to a 1982 law, but participation was low amid concerns that the authorities might require these individuals to list themselves as "Bengali" at some point in the process, potentially limiting their rights as full citizens. Government policies limiting freedom of movement in some jurisdictions hindered access to employment and education for some communities, further aggravating economic conditions that may have contributed to more Rohingya men pursuing informal employment channels known to engender severe forms of abuse, including forced labor.

The government reported conducting an awareness-raising campaign through 2,300 separate activities involving print, television, radio, billboards, roadshows, and other media—particularly in high-vulnerability states—and to train members of community-based watch groups and students on trafficking. It launched an updated national campaign to raise awareness about the recruitment and use of child soldiers and educate the public on reporting such cases, including by ordering the replacement of 182 billboards informing people of their rights. Authorities continued to release information on the prosecution of traffickers via government-supported and private media throughout the country. The ATIPD maintained a hotline and social media account with information on trafficking, including updated law enforcement statistics, but did not report the extent to which the public employed either of these mechanisms. The government did not make significant efforts to punish labor recruiters or brokers for illegal practices that increase migrants' vulnerability to exploitation abroad. The police did not report any cases of child sex tourism during the reporting period. Authorities partnered with an NGO to raise awareness about child sex tourism. The government did not take steps to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Burma is a source country for men, women, and children subjected to forced labor and for women and children subjected to sex trafficking, both in Burma and abroad. It is also increasingly a destination and transit country for foreign victims, including women and girls from India. Some Burmese men, women, and children who migrate for work abroad—particularly to Thailand and China, as well as other countries in Asia, the Middle East, and the United States—are subjected to forced labor or sex trafficking. Men are subjected to forced labor abroad in fishing, manufacturing, forestry, agriculture, and construction, while women and girls are primarily subjected to sex trafficking, domestic servitude, or forced labor in garment manufacturing. NGOs continue to report instances of Burmese males transiting Thailand en route to Indonesia and Malaysia, where they are subjected to forced labor, primarily in fishing and other labor-intensive industries. Some Burmese men in the Thai fishing industry are subjected to debt bondage, passport confiscation, threats of physical or financial harm, or fraudulent recruitment; some are also subjected to physical abuse and forced to remain aboard vessels in international waters for years at a time without coming ashore. Burmese women are increasingly transported to China and subjected to sex trafficking and domestic servitude through forced marriages to Chinese men; Burmese government officials are occasionally complicit in this form of trafficking, as well as in the facilitation of the smuggling and exploitation of Rohingya migrants. Rohingya children fleeing violence were abducted in transit and sold into forced marriage in India, Indonesia, and Malaysia; some of them may have experienced conditions indicative of forced labor or sex trafficking.

Within Burma, men, women, and children from predominantly ethnic minority areas—including the estimated 106,000 persons displaced by conflict in Kachin and northern Shan states and at least 150,000 displaced persons in Rakhine state—are at increased risk of trafficking. In Kachin, displaced women and girls are especially vulnerable to trafficking, including forced concubinism, via forced or fraudulent marriages to Chinese men arranged by deceptive or coercive brokers. Rohingya individuals are particularly vulnerable to labor trafficking in Rakhine state, including forced labor perpetrated by government authorities. Many women and girls among the estimated 687,000 Rohingya

who fled from conflict in Rakhine to neighboring Bangladesh since August 2017 have been subjected to sex trafficking in Bangladesh and India. Ethnic Rakhine are reported to be victims of forced labor on the margins of conflict between the Tatmadaw and EAGs in Rakhine State.

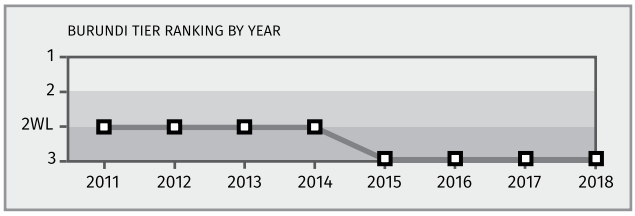
Local traffickers use deceptive tactics to recruit men and boys into forced labor on palm oil and rubber plantations, in jade and precious stone mines, and in riparian fishing. In Kachin State, men, women, and children are vulnerable to forced labor in jade prospecting throughout refuse areas created by larger mining operations. A majority of these prospectors are reportedly addicted to opiates or methamphetamines, which some traffickers—including members of EAGs—may exploit to retain their labor. Many people displaced by violence in Rakhine State, including ethnic Rakhine, travel to Kachin for this work. Forced eviction from new mining sites and resulting economic hardships also make Kachin communities more vulnerable to trafficking. Children are subjected to sex trafficking or to forced labor (at times through debt bondage) in teashops, small businesses, the agricultural and construction sectors, and in begging. Children and adults are subjected to domestic servitude. A small number of foreign child sex tourists exploit Burmese children.

Some Tatmadaw personnel, civilian brokers, border guard officials, and EAGs continue to recruit or use child soldiers, particularly in conflict-affected ethnic areas. Civilian recruiters in some cases coerce or offer incentives to children or their families through false promises about working conditions, salary, and promotion opportunities. EAGs force men and boys to serve through intimidation, coercion, threats, arbitrary taxation, and violence. The Tatmadaw has employed the same tactics in the past, although many children identified in military service initially enter under the auspices of civilian brokers or enlist at the behest of their own families. Some child soldiers are deployed to the front-line as combatants. Observers note that, as the Tatmadaw continues to strengthen age verification measures and demobilize children identified among its ranks, forced labor of children in the private sector and by civilian officials is increasing. Tatmadaw-backed militias are also increasingly involved in the recruitment and use of children in conflict settings. Some EAGs abduct or recruit children, including from internally displaced persons' camps, to fight against the Tatmadaw.

The Tatmadaw, civilian officials, and some EAGs also use various forms of coercion, including threats of financial and physical harm, to compel adult victims into forced labor. In areas with active conflict, members of local populations—mostly men, but also women and children—are subjected to forced labor, including portering, cleaning, cooking, and public infrastructure projects. Civilians are also subjected to forced labor through the Tatmadaw's "self-reliance" policy, under which battalions are responsible for procuring their own food and labor from local communities. Although reports of Tatmadaw-controlled forced labor and other abuses occur across the country, prevalence is highest among ethnic minority communities in the conflict zones within Shan, Karen, and Kachin states; however, reporting and verification mechanisms are weak or non-existent in these areas, making it difficult to fully assess the scope of the crime. Land confiscation by the Tatmadaw, local government, and private businesses place agricultural workers and people living in mining areas at risk for forced labor, including on lands they had previously occupied.

BURUNDI: TIER 3

The Government of Burundi does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Burundi remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including revising the criminal code to integrate formally the penalties of the 2014 anti-trafficking law, organizing a workshop for law enforcement and civil society on the 2014 law, improving screening and scrutiny at the international airport, and investigating several cases involving the alleged recruitment of Burundian women for exploitation in the Middle East. However, the government did not investigate internal trafficking crimes and did not prosecute or convict any trafficking offenders for the third consecutive year. It did not investigate or hold accountable officials complicit in trafficking crimes, despite continuing allegations. Authorities continued to lack understanding of trafficking, and the government did not provide adequate anti-trafficking training for its personnel. The government did not provide victims with adequate protection services; in fact, victims continued to be subject to arrest and detention for crimes committed as a direct result of being subjected to trafficking. The government did not establish the Consultation and Monitoring Committee—mandated by the 2014 anti-trafficking act—to coordinate and lead anti-trafficking efforts.



RECOMMENDATIONS FOR BURUNDI

Implement the anti-trafficking law and significantly increase efforts to more effectively investigate, prosecutes, and convict traffickers, including allegedly complicit officials; institutionalize anti-trafficking training to include how to implement the anti-trafficking law for all law enforcement, prosecutors, and judges; establish standardized procedures for officials to proactively identify trafficking victims, including children and adults, and refer them to appropriate care; implement the national action plan; develop national level data collection on law enforcement efforts and trafficking victims; ensure trafficking victims, including children and adults who are forcefully or fraudulently recruited into opposition armed groups, are not punished or detained for crimes committed as a direct result of being subjected to trafficking; drastically improve provision of protective services to trafficking victims, including through partnerships with NGOs that provide appropriate care to victims, and by providing separate shelter for children and adults; take measures to ensure children and adults are not forcibly or fraudulently recruited into governmental and non-governmental armed forces, and provide them with appropriate protection services; and enact effective policies to regulate labor recruitment agencies and hold fraudulent recruiters criminally accountable and undertake efforts to reduce child sex tourism.

PROSECUTION

The government's law enforcement efforts remained insufficient. Burundi's 2014 anti-trafficking law criminalized forced labor and

sex trafficking. Prescribed penalties under the law ranged from five to 10 years imprisonment and were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the government revised the criminal code to integrate formally the penalties of the 2014 anti-trafficking law into the criminal code. Labor laws did not provide protection for domestic workers or employees in the informal economy, leaving that population vulnerable to trafficking.

The government had no centralized data collection mechanism on trafficking, making comprehensive statistics difficult to obtain. While the government did not provide comprehensive statistics, according to media reports and statements by government spokespeople, at least 13 alleged traffickers were arrested for transnational trafficking in 2017; however, some of these arrests may have been for smuggling, as this is often conflated with human trafficking. This compared to the 25 arrests documented in 2016. Similar to the prior year, the government investigated transnational trafficking cases, but did not investigate internal trafficking or prosecute and convict any suspects during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite ongoing reports of official complicity in trafficking crimes, including allegations of officials involved in the falsification of identity documents to facilitate trafficking. Moreover, security remained a concern for civil society organizations or individuals reporting on these allegations; several anti-trafficking activists fled the country during the previous reporting period after receiving threats against themselves and their families when they attempted to investigate a trafficking network or provide care to trafficking victims.

The Ministry of Human Rights organized an awareness workshop on the 2014 anti-trafficking law, which included civil society, ministry officials, and the Burundian National Police Unit (BNP) for the Protection of Minors and Morals. However, in general, the government did not provide adequate funding or training for law enforcement agencies responsible for investigating trafficking crimes, and corruption continued to plague law enforcement, severely limiting its capacity and effectiveness. Without training on standard procedures, local police reportedly arrested suspected traffickers but often did not refer the cases to the BNP's Unit for the Protection of Minors and Morals, the lead investigating body for trafficking cases, which led to poor case investigations; officials' lack of investigative skills and insufficient understanding of trafficking crimes continued to impede investigations.

PROTECTION

The government maintained minimal protection efforts. The government did not maintain statistics on human trafficking, making it difficult to determine the number of victims, if any, whom the government referred to or provided with protective services. Civil society continued to provide the vast majority of assistance to trafficking victims. In 2017, the media reported that the BNP identified 46 potential female trafficking victims en route to Tanzania, Oman, and other Gulf countries, or planning to transit through Uganda, which was a decrease compared to 75 potential victims identified by police in 2016. One NGO reported identifying 338 victims who had returned from trafficking situations in various Middle Eastern countries, while another reported 356 women remained in potential trafficking situations in the Middle East. One NGO also reported identifying 134 potential victims en route to the Middle East; reportedly some were referred to services or returned to their families, but the NGO did not report how many received assistance. However, due to a lack of adequate training on victim identification and probable conflation with smuggling in some cases, some of the victims reportedly identified by law enforcement and NGOs may not have been trafficking victims. An NGO reported funding the repatriation of 31 young women from the Middle East, but noted that over 800 young women remained in Oman and Saudi Arabia awaiting repatriation. Another NGO reported funding and assisting in the repatriation of at least two Burundian trafficking victims and providing them with reintegration assistance; both were victims of fraudulent recruitment in Burundi and forced labor in Kuwait. An NGO reported that Burundian diplomats assisted in removing victims from exploitative conditions and in accessing medical assistance. However, the government did not report on efforts by its officials, including staff within its missions in destination countries, to facilitate or fund the repatriation of Burundian victims identified abroad, collaborate with host governments, or subsequently assist victims among this population. An international organization reported separating five Burundian children from opposition armed groups in the Democratic Republic of the Congo (DRC) during the reporting period, but did not report further details.

The government did not report the number of victims who received assistance. Overall, a lack of dedicated funding for victim protection measures seriously constrained the government's ability to assist victims. The government continued to operate Humura Center in Gitega, which provided protection to foreign and domestic victims of sexual, gender-based violence and trafficking, but did not report the number of trafficking victims it assisted during the reporting period. The Humura Center provided temporary shelter, medical care, and guidance on engaging with law enforcement and the judicial system and was accessible to victims with disabilities. The Seruka Center was an NGO-run center in Bujumbura that did not receive government funding; it provided medical and psycho-social assistance, as well as legal assistance to victims of various abuses, including human trafficking. Adult and child victims received assistance in the same facilities, and adults and children, men and women, and foreign and domestic victims all received the same care. The Seruka Center reported providing care to three trafficking victims in 2017.

The government did not have formal procedures for authorities to identify and refer trafficking victims to protection services, and law enforcement officials lacked adequate training to identify potential victims. However, immigration officials at the Bujumbura International Airport, some of whom received training on preventing trafficking provided by an international organization and a local NGO, did have some success in screening for trafficking; this resulted in the identification of some potential trafficking victims and deterrence of traffickers from transiting victims through Bujumbura. Screening included extensive questioning regarding the purpose and final destination of travel, including address and phone number, and review of documentation; however, the government did not provide information on the number of victims identified by immigration officials. The government routinely arrested victims for questioning and would sometimes inappropriately penalize trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking by detaining them in jail for several days. Despite the requirements of the 2016 law for the protection of witnesses, victims, and vulnerable persons, the government did not make any progress on the establishment of a unit within the Ministry of Justice

to coordinate protection measures. Burundian law did not allow trafficking victims to obtain restitution; however, it did provide foreign trafficking victims with legal alternatives to their removal to countries where they may face hardship or retribution, subject to judicial decision.

PREVENTION

The government's prevention efforts remained insufficient. The government had an inter-ministerial trafficking committee that met at least once during the reporting period, but it was not effective in leading or coordinating anti-trafficking efforts. The government did not establish the Commission for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons, mandated by the 2014 anti-trafficking act, to provide inter-ministerial coordination and oversight. The government did not take steps to implement its national anti-trafficking action plan, which had been approved in March 2014. The government did not conduct anti-trafficking awareness campaigns in 2017. Burundi also remained without a government-run national hotline, but international organizations funded a national human rights hotline with operators trained to identify trafficking victims; the operators received 113 trafficking-related calls during the reporting period, but the international organization did not provide further details. Unlike the last reporting period when the government suspended the activities of five foreign recruitment agencies registered under the Agency for the Promotion of Investments, the government made no efforts to regulate labor recruitment agencies, nor were any held criminally accountable for fraudulent recruitment. The government did not make efforts to reduce the demand for forced labor, commercial sex, or child sex tourism. The government provided training on human rights and sexual exploitation, which reportedly included anti-trafficking elements, to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Burundi is a source country for men, women and children subjected to forced labor and sex trafficking. As the result of a complex political, economic, and security crisis that began in 2015, more than 420,000 Burundians sought refuge in neighboring countries and many others sought refuge at internally displaced persons camps or moved to the homes of extended family members. Burundi's challenging security environment and endemic poverty created an opportunity for criminals, including traffickers, to take advantage of Burundians in precarious or desperate situations. Between April and December 2015, approximately 70,000 Burundian refugees fled to Rwanda, which contributed to an increase in child sex trafficking of both male and female refugees in Rwanda. In July 2015, approximately 58 children, some younger than 15 years old, were fraudulently recruited and forced to participate in an anti-government armed invasion in Kayanza Province, which was ultimately put down by the government; it was unclear if these children were armed. Between May and December 2015, an international organization reported allegations that Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups, allegedly by Rwandan security forces, to support the Burundian opposition; many refugees alleged recruiters had threatened, intimidated, harassed, and physically assaulted those who refused recruitment—a form of human trafficking. Most of these recruits were adult males, but six Burundian refugee children, between the ages of 15 and 17, were also identified as recruits from Mahama refugee camp. The same international organization also reported that hundreds of Burundian adult and child recruits, including girls, were allegedly trained in weaponry at a training camp in southwestern Rwanda. Some of these adult and child refugees could be victims of human trafficking. In December 2014, an armed group of primarily Burundian rebels invaded the northwestern province of Cibitoke; the estimated 150 rebels reportedly included child soldiers as young as 15-years-old, some of whom were trained in Rwanda. In 2016, the Government of the DRC apprehended 16 Burundian children transiting through the east allegedly after recruitment from refugee camps in Rwanda or the DRC to participate in armed conflict in Burundi with an unknown entity.

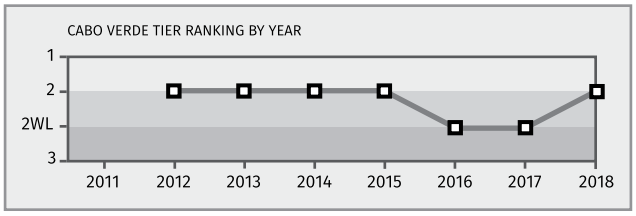
The government encouraged citizens to participate in community work each Saturday morning and the governors of various provinces sporadically fined residents who failed to participate. Both coercion and economic necessity pushed children and young adults into labor, including forced labor on plantations or small farms throughout Burundi, in gold mines in Cibitoke, in informal commerce in the streets of larger cities, collecting river stones for construction in Bujumbura, and in the fishing industry. Traffickers include victims' relatives, neighbors, and friends, who recruit them under false pretenses to exploit them in forced labor and sex trafficking. Some families are complicit in the exploitation of children and adults with disabilities, accepting payment from traffickers who run forced street begging operations. Children are subjected to domestic servitude in private homes, experiencing non-payment of wages and verbal and physical abuse. Children in domestic servitude or working in guesthouses and entertainment establishments may also be exploited in prostitution. Children are fraudulently recruited from rural areas for domestic work and later exploited in prostitution, including in Bujumbura. International organizations reported that young Muslim women from Burundi were particularly vulnerable to forced labor and sex trafficking in various Gulf countries. Young adult Burundian women are fraudulently recruited for fake jobs and are instead subjected to forced labor and sex trafficking in various Gulf countries, such as Kuwait, Saudi Arabia, and Oman; NGOs estimate that between 500 and 3,000 young women have become trafficking victims in these countries between 2015 and 2016 and one NGO reported over 800 young women remain in these countries. In 2017, several adult Burundian women were identified in Kuwait, where they had been fraudulently recruited by Burundian recruitment agencies and Kenyan recruiters for work as domestic workers and receptionists; however, upon arrival they were subjected to forced labor and had their passports confiscated, were paid less than what was agreed, had restricted movement, and were made to work excessive hours without breaks.

Young women take vulnerable girls into their homes, eventually pushing some into prostitution to pay for living expenses. These brothels are located in poorer areas of Bujumbura, along the lake, on trucking routes, and in other urban centers such as *Ngozi*, Gitega, and Rumonge. Some orphaned girls are exploited in prostitution, with boys acting as their facilitators, to pay for school, food, and shelter. NGOs reported that some boys in the Lake Tanganyika fisheries are subjected to forced labor and that some girls and young women are exploited in domestic servitude and sex trafficking by fishermen. Incarcerated women facilitate commercial sex between male prisoners and detained children within the Burundian prison system. Male tourists from East Africa and the Middle East, as well as Burundian government employees, including teachers, police officers and *gendarmes*, military, and prison officials, are among the clients of Burundian girls in child sex trafficking. Businesspeople recruit

Burundian girls for exploitation in prostitution in Bujumbura, as well as in Rwanda, Kenya, Uganda, and the Middle East; they also recruit boys and girls for various types of forced labor in southern Burundi and Tanzania. In 2015, Rwandan officials and international and local NGOs reported that Burundian refugee girls were exploited in prostitution in Uganda after transiting Rwanda; some of these girls may also have been subjected to forced labor in domestic work in Uganda.

CABO VERDE: TIER 2

The Government of Cabo Verde does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Cabo Verde was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting two sex traffickers; providing shelter and services to identified trafficking victims, including the first report of the government referring a trafficking victim to a government-run shelter for care; conducting several awareness-raising campaigns on trafficking, including child sex trafficking; and approving its first anti-trafficking national action plan covering 2018-2021. However, the government did not meet the minimum standards in several key areas. The government did not train law enforcement or judiciary officials on trafficking investigations and prosecutions; officials remained without formal procedures to identify trafficking victims and refer them to care; and the Ministry of Justice and Labor (MJT) did not receive any funding specifically for anti-trafficking efforts, including for implementation of the national action plan.



RECOMMENDATIONS FOR CABO VERDE

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers—including Cabo Verdean-American sex traffickers; develop and train officials on standardized procedures to identify trafficking victims—including adults and victims among vulnerable populations—and a mechanism to refer victims to services; train law enforcement and judiciary officials on the 2015 anti-trafficking amendment, article 271-A; through consistent referrals to government and NGO shelters, ensure all identified trafficking victims receive care, and collect data on such efforts; allocate resources to MJT to coordinate inter-ministerial anti-trafficking actions and implement the national action plan; undertake efforts to engage community members on preventing and reporting child sex trafficking; educate law enforcement that children younger than 18 exploited in sex trafficking are trafficking victims, and robustly investigate such cases, especially in high-tourist areas; increase efforts to raise public awareness of human trafficking, including child sex trafficking and domestic servitude; increase collaboration with foreign governments on cases of transnational trafficking; and develop a system to compile and share comprehensive anti-trafficking law enforcement and victim identification data among agencies.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The penal code criminalized labor and sex trafficking. Article 271 of the penal code criminalized slavery with penalties of six to 12 years imprisonment, and article 271-A criminalized all other forms of labor trafficking and sex trafficking and prescribed penalties of four to 10 years imprisonment; these penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

During the reporting period, the attorney general's office published data on trafficking cases for the first time since the promulgation of article 271-A in 2015. The government investigated eight sex trafficking cases, prosecuted four suspects, and convicted two traffickers, compared with seven investigations and the prosecution and conviction of one trafficker the previous reporting period. Among the eight investigations, law enforcement initiated two during the reporting period and continued six from the previous reporting period. One investigation led to the prosecution of four suspects; the judge convicted two traffickers and prescribed sentences of 33 and 14 years imprisonment, respectively, and acquitted two alleged facilitators. Seven investigations involving foreigners in sex trafficking were ongoing at the end of the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government began working with a foreign government to facilitate the extradition of a suspected trafficker, subject of an ongoing investigation in Cabo Verde.

Officials admitted law enforcement and judges lacked understanding of trafficking crimes and the 2015 anti-trafficking amendment, which inhibited their ability to identify, investigate, and prosecute trafficking cases. While it did not provide training to such officials, the government provided modest financial support to enable 12 law enforcement and justice officials to attend an international anti-trafficking training. In addition, an international organization provided anti-trafficking training, including victim identification, to new police officers during standard academy training. Insufficient staffing and a lack of resources confined the judicial police's presence to four of the country's nine inhabited islands, impeding the government's ability to identify victims, investigate crimes, and collect comprehensive data. Due to strong community ties, citizens often did not report, and often would not testify against other members of their communities in cases of abuse, including trafficking. In addition, government social service providers preferred to resolve intra-familial abuse cases—which could include child sex trafficking—through non-judicial means.

PROTECTION

The government maintained efforts to identify and protect trafficking victims, and increased reporting on such efforts. Although it did not provide statistics on the number of trafficking victims identified and referred to care, the government identified at least five sex trafficking victims in the course of human trafficking investigations. This was similar to six sex trafficking victims identified in the previous reporting period, and an increase in referrals to care. The government did not have formal procedures for law enforcement or social workers to identify trafficking victims, nor did it have a formal mechanism to refer trafficking victims to care, but the new national action plan called for the MJT to coordinate all victim care. The government conducted several ad hoc trainings on these topics for law enforcement and social services personnel. Border

police had written procedures to identify trafficking victims and people vulnerable to trafficking, although they did not receive training on such procedures. With an NGO, the Cabo Verdean Institute for Children and Adolescents (ICCA) trained NGOs, civil society leaders, judges, and police on Sal and Boa Vista islands to identify and refer trafficking victims to care; however, many authorities remained unable to differentiate sex trafficking from sexual abuse and negligence, which resulted in incomplete data on trafficking victims identified.

An international organization trained government officials and NGOs on three islands on how to create protection plans for child victims of sexual and gender-based violence, including sex trafficking, and such plans included referral procedures. There were no shelters or services specifically for trafficking victims, but government-funded agencies provided emergency services, temporary shelter, and psycho-social care to at-risk populations and female and child victims of crime that trafficking victims could access. ICCA operated a national network to assist child victims of sexual abuse, which could coordinate referral to care and support throughout court processes. Law enforcement and first responders generally referred all victims to either ICCA (for child victims), the Public Ministry (for victims requiring long-term care), or MJT, who then referred child victims of any crime to ICCA and women to the Cabo Verdean Institute for Gender Equality (ICIEG) or an NGO. The government acknowledged the ad hoc, informal referral system was insufficient. ICCA did not report screening for trafficking among victims referred to its shelters. ICCA operated two shelters that provided temporary shelter and care for child victims of sexual abuse, violence, and abandonment, and maintained five protection and social reinsertion centers, which provided services for children experiencing long-term trauma, including trafficking. ICCA had six primary shelters on two of Cabo Verde's nine inhabited islands and staff on all nine islands. During the reporting period, ICIEG opened its first shelter in Cabo Verde for victims of domestic violence, which trafficking victims could access. The government-funded, and police provided security for, ICCA and ICIEG shelters. Law enforcement referred at least four child sex trafficking victims to ICCA for care. The government did not provide psycho-social services to foreign trafficking victims before repatriation, and it did not report if it assisted six trafficking victims identified in the previous reporting period who remained in the country.

Law enforcement could conduct sex trafficking victim interviews in collaboration with psychologists and, in cases of children, the victims' parents, to provide a comfortable and safe environment. The government did not report if it provided these benefits to any victims during the reporting period. Cabo Verdean law does not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution; however, it could grant temporary residence and visas to trafficking victims on an ad hoc basis, and authorities provided these benefits to at least two sex trafficking victims from Senegal and Nigeria during the reporting period. The law did not provide for restitution or allow victims to file civil suits against traffickers. The 2011 law against sexual and gender-based violence provided a limited stipend for victims of sexual and gender-based violence, including sex trafficking victims, who faced life-threatening situations, although the government did not report providing this funding to any victims during the reporting period. There were no reports officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

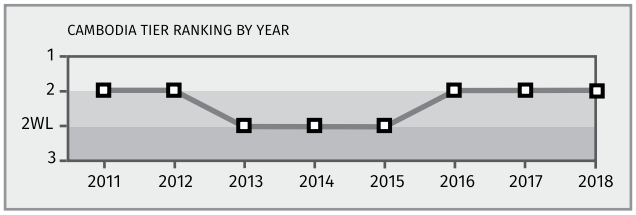
The government increased prevention efforts. MJT, in collaboration with other ministries and NGOs, drafted the government's first ever trafficking-specific national action plan covering 2018-2021. MJT had the lead for anti-trafficking efforts, although it did not receive any funding specifically for anti-trafficking activities, including implementation of the action plan, which impeded its ability to lead such efforts. ICCA continued to operate three centers for street children through its Nos Kaza project and six day centers, all of which aimed to reduce the vulnerability of street children to forced labor and sexual abuse, including sex trafficking. ICCA operated a hotline to report cases of violence against children, including trafficking, but it did not receive any reports of trafficking during the reporting period. Hotline workers did not have training to differentiate trafficking from similar crimes, such as child labor or sexual abuse. The government did not make efforts to reduce the demand for forced labor; however, it took action to reduce the supply of and demand for child sex tourism. The Sal Judicial Police and ICCA reported an unspecified number of cases in which parents were convicted of negligence for failing to protect their children from child sex tourists; most of the parents received suspended sentences and the children were referred to ICCA for care. Government ministries continued to implement the 2017-2019 National Plan to Combat Sexual Abuse and Violence, which included child sex tourism. Through the Ethics Code of Conduct for Tourism, MJT and police collaborated with European tourism operators to discourage the facilitation of child sex tourism on Sal and Boa Vista islands. In addition, MJT, police, and ICCA worked with a foreign donor to discourage child sex tourism on Fogo.

TRAFFICKING PROFILE

As reported over the past five years, Cabo Verde is primarily a source country for children subjected to sex trafficking within the country and a destination for women in forced prostitution. Boys and girls, some of whom may be foreign nationals, are victims of sex trafficking on Brava, Santiago, Fogo, Sal, and Boa Vista, sometimes through child sex tourism. During the reporting period, officials reported child sexual abuse perpetrated by tourists on the islands of Sal, Boa Vista, Sao Vicente, Fogo, and Maio. In some cases, parents encourage their daughters to be exploited in prostitution by tourists—especially Cabo Verdean-Americans—to gain immigrant visas or remittances to support the family. Authorities increasingly identify West African women—including Nigerians and Senegalese—in forced prostitution, including on Boa Vista and Sal Islands and sometimes through sex tourism. On Sao Vicente, girls as young as 12 years old have been sexually exploited in exchange for drugs. Children in domestic service often work long hours and at times experience physical and sexual abuse—indicators of forced labor. Cabo Verdean children engaged in begging, street vending, car washing, garbage picking, and agriculture are vulnerable to trafficking. Children living in impoverished neighborhoods with little state presence are also at risk, especially for sex trafficking. In previous years, there were reports traffickers may have forced Cabo Verdean women and children to transport drugs. West African migrants may transit the archipelago en route to situations of exploitation in Europe. Some adult migrants from China and ECOWAS countries may receive low wages, work without contracts, and have irregular status, rendering them vulnerable to forced labor and sex trafficking. In a previous reporting period, there was one case of a Cabo Verdean man subjected to forced labor in Europe.

CAMBODIA: TIER 2

The Government of Cambodia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Cambodia remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers, repatriating more Cambodians subjected to trafficking abroad, strengthening efforts to raise awareness on child sexual exploitation in the hospitality industry, and taking steps to incentivize safe migration to primary destination countries. However, the government did not meet the minimum standards in several key areas. Endemic corruption continued to impede law enforcement operations, criminal proceedings, and victim service provision. Authorities did not issue formal guidance allowing the use of undercover investigative techniques in anti-trafficking operations—a factor that continued to impede officials' ability to fully hold sex traffickers accountable. Against a backdrop of insufficient government oversight and accountability measures, unscrupulous business owners subjected thousands of men, women, and children throughout the country to debt bondage in hard labor with minimal interference—and sometimes assistance—from Cambodian authorities.



RECOMMENDATIONS FOR CAMBODIA

Vigorously investigate and prosecute trafficking offenses and convict and stringently penalize sex and labor traffickers, including complicit officials, with prison sentences; authorize the use of undercover investigative techniques for anti-trafficking operations; strengthen efforts to fully implement the nationwide protocol for proactive victim identification among vulnerable groups and train officials on its provisions; increase labor inspections in high-vulnerability professions, especially at brick kilns, fisheries, and plantations, with a focus on identifying debt bondage; increase the availability of services for male victims, especially men and boys exploited in commercial fishing; increase inspection and oversight of lending institutions, including private micro-finance organizations, to reduce vulnerability to debt bondage among economically disadvantaged communities; modify the law to allow restitution upon conviction of the trafficker; establish and allocate resources to implement systematic procedures at diplomatic missions to assist Cambodian victims abroad, including in countries without Cambodian diplomatic representation; strengthen efforts to inspect private labor recruitment agencies and their sub-licensed brokers for fraudulent recruitment and other trafficking indicators; increase public awareness on proper travel document application procedures to facilitate safe, legal migration; implement a system for monitoring, collecting, and reporting data on anti-trafficking prosecution and victim protection efforts, and disseminate data among the relevant government agencies in a manner that protects victims' identities and privacy; increase budgetary allocations to national and provincial-level anti-trafficking committees; strengthen efforts to incorporate NGO input into the policy for formally transferring custody of child victims; allocate increased resources to anti-human trafficking police to better facilitate the monitoring of defendants released under judicial supervision pending trial; and enhance public awareness campaigns aimed at reducing domestic demand for commercial sex and child sex tourism.

PROSECUTION

The government increased some law enforcement efforts. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex and labor trafficking and prescribed penalties of seven to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Anti-Human Trafficking Juvenile Police (AHTJP) attempted to monitor and record information on the cases it investigated, but the government did not collect comprehensive data on overall law enforcement efforts, particularly among provincial courts. However, the information authorities provided, augmented by media and NGO reports, indicated authorities prosecuted 207 individuals under the anti-trafficking law or related provisions in the penal code in 2017 (53 in 2016). The National Committee for Counter Trafficking (NCCT) reported courts convicted at least 129 traffickers, up from 100 in 2016. The government did not provide data on sentencing, but courts reportedly continued to conclude sex trafficking cases with monetary settlements in lieu of prison sentences, and victims whose families received out-of-court settlements from traffickers often changed their testimony, further complicating prosecutions.

Law enforcement authorities often did not take appropriate action against suspected or convicted traffickers, including orphanage directors complicit in child trafficking crimes. Judicial police lacked the resources to monitor the increasing number of defendants released on "judicial supervision" pending trial, allowing many to flee prior to their trial dates. Authorities did not always issue arrest warrants for absconded defendants. Citing resource constraints, prosecutors and investigating judges did not advance all of the trafficking cases for which police had supplied evidence. Authorities also abused law enforcement resources to detain, prosecute, and convict some foreign individuals on politically motivated trafficking charges, further bringing into question the veracity of the anti-trafficking data—and the resource constraints—reported by the government. Local experts continued to report cases involving foreign suspects were more likely to result in trafficking convictions than cases involving Cambodian suspects, for whom charges were often reduced to less serious offenses.

The government continued to deliver donor-designed and funded training on the implementation of anti-trafficking laws to police, prosecutors, judges, and other government officials. During the reporting period, the NCCT delivered 66 trainings to 1,577 law enforcement officers on anti-trafficking laws, investigative techniques, and evidence collection; it did not report how many commune and provincial officials, judicial staff, and NGO workers participated in these sessions (7,689 in 2016). Local organizations and some officials continued to stress an urgent need for more sophisticated evidence collection techniques, including undercover investigation, to decrease reliance on witness testimony and adapt to the increasingly clandestine nature of sex trafficking. However, the government did not grant undercover investigative authority to anti-trafficking police units, except in rare cases when requested for child sex tourism raids conducted alongside foreign law enforcement agencies. This continued to significantly constrain

law enforcement officers' ability to address the increasingly clandestine nature of sex trafficking operations in Cambodia.

Endemic corruption at all levels of government severely limited the ability of individual officials to make progress in holding traffickers accountable. The Cambodian national police maintained a mechanism for NGO workers to report incidents of corruption among anti-trafficking police, but it did not field any complaints during the reporting period. Local officials facilitated cross-border trafficking by accepting bribes for forging identity documents. One NGO noted law enforcement raids on sex trafficking establishments were sometimes unsuccessful due to advance warning from working-level police. However, some provincial police chiefs reportedly worked to minimize these leaks by turning over cases to the AHTJP, which conducted independent raids without notifying the local authorities until moments before they began. Some corrupt officials may have profited directly from establishments suspected of sex and labor trafficking. NGO observers claimed Cambodian police officers also solicited commercial sex with minors during the reporting period. One NGO alleged prosecutors and judges accepted bribes in return for dismissal of charges and acquittals. Corrupt officials often thwarted progress in cases where the perpetrators were believed to have political, criminal, or economic ties to government officials. Despite these trends, the government did not investigate, prosecute, or convict any government employees complicit in trafficking, nor did it take any punitive measures against Phnom Penh's former anti-trafficking police chief, who was ultimately promoted to a higher government position after his 2011 trafficking conviction was overturned in an unannounced, closed-door Supreme Court hearing in 2013.

PROTECTION

The government decreased protection efforts. Despite maintaining victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) in early 2017, disparate victim identification, referral, and repatriation efforts remained underdeveloped and overlapping across government and law enforcement agencies. Authorities did not provide complete statistics on the number of victims they assisted or referred. During the reporting period, the government imposed a new regulation barring NGOs from representing individuals seeking formal recognition as trafficking victims. Under this new arrangement—which NGOs claimed severely intimidated victims and their families—victims were required to approach the Ministry of Interior for the formal identification needed to access protection services.

With assistance from an international organization, the government continued to operate two transit centers in the border city of Poipet, where it screened for trafficking victims among the approximately 70,500 migrants deported from Thailand in 2017 (55,000 in 2016). However, it did not report identifying any victims through this center; given the extent of trafficking among this population and the lack of universal implementation of victim identification standards, many victims likely transited the center unidentified. The government operated a temporary shelter in Phnom Penh for female victims of trafficking and other crimes, and it referred trafficking victims to donor-funded NGO shelters—most of which cared for victims of several forms of abuse—to receive further assistance. The government continued to rely heavily on NGOs to protect trafficking victims; however, it did not facilitate formal transfer of custody for child victims, leaving organizations that accepted child victims vulnerable to court action. Provisions allowing for financial settlements in lieu of harsher sentencing further discouraged some families from consenting to temporary guardianship at shelters; absent family consent, government officials at times returned children to high-risk environments, leaving them vulnerable to re-victimization. Despite the prominence of male labor trafficking victims, assistance for this population remained limited.

Cambodian diplomatic missions overseas continued to lack adequate funding and capacity to provide basic assistance or repatriate victims, despite government action in prior years to train diplomats on migrant worker protections. Victims identified in countries without Cambodian diplomatic representation had access to even less support. The Ministry of Foreign Affairs and International Cooperation (MFAIC), which bore the primary responsibility of aiding Cambodian trafficking victims, reported repatriating 986 Cambodian trafficking victims from nine countries (815 from 11 countries in 2016); this included 382 victims from Malaysia, 288 from Thailand, 171 from Vietnam, 53 from China, 49 from Laos, 23 from Indonesia, 12 from Japan, five from Singapore, and three from Burma. An international organization assisted in the majority of these repatriations. The government reportedly maintained a victim reintegration center specifically for Cambodian and foreign survivors of a widely publicized maritime forced labor case in Indonesian waters in 2015; through this center, authorities held an annual regional victims' workshop and provided psycho-social services, but it was unclear if this work relied on assistance from international donors. The MFA did not promulgate or implement standard operating procedures for the identification and referral of Cambodian victims abroad, leaving many Cambodians without the assistance necessary to repatriate legally and safely. According to local service provision NGOs, some returned victims had been unable to secure assistance from Cambodian consular services in Thailand and Korea due to unattended hotlines and unresponsive staff; others confined in forced labor conditions abroad, including in Malaysia, were unable to convince Cambodian consular staff they were in need of assistance.

MOSAVY reported assisting in the repatriation of 243 Cambodians in 2017, including 114 from Malaysia, 45 from Thailand, 21 from Indonesia, 21 from China, 18 from Somalia, 16 from Vietnam, six from Japan, and one each from Saudi Arabia and Singapore (195 total in 2016). Local police referred 179 sex and labor trafficking victims to provincial social service providers and NGOs for further protections (326 in 2016); MOSAVY did not report assisting in this process (62 referred by MOSAVY in 2016). One NGO recorded receiving and assisting 395 Cambodian trafficking victims from nine countries; it was unclear if this figure was captured in the statistics provided by the MFAIC, or to what extent the MFAIC data included cases received by MOSAVY. The number of Cambodian returnees who were subjected to trafficking abroad was likely much higher than reported due to an increasing tendency among these groups to return via informal migration channels.

The government required the repatriation of foreign victims, except in rare cases, and did not provide legal alternatives to their removal regardless of whether they may face hardship or retribution upon return to their countries of origin. MOSAVY repatriated three trafficking victims to Vietnam after they received care in NGO-run shelters (13 in 2016). Insufficient victim identification efforts left many potential victims at risk of law enforcement action, including punitive deportation without prior screening. Law enforcement often did not keep victims and perpetrators separated during interviews. NGOs noted police made some progress in implementing child-

friendly practices during the reporting period, and government social workers reported positive cooperation with the AHTJP, including in timely victim intake and referral procedures. However, provincial courts did not universally implement a child-friendly judicial program initiated in 2016 barring direct cross-examination of victims in front of the accused and relying instead on video-conferencing technology. Cambodia's weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims' willingness to cooperate in many cases. Victims were theoretically eligible for restitution, although it was extremely difficult to obtain due to a legal requirement delaying payment until after the completion of the trafficker's jail term; convicted traffickers' frequent abscondment further complicated this arrangement. NGOs noted victims rarely received the amount promised, and many victims' families settled out of court with traffickers or accepted bribes to drop the relevant charges.

PREVENTION

The government increased some prevention efforts. In November, Cambodia signed the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, which aimed to further prohibit confiscation of migrant workers' travel documents, cease imposition of excessive recruitment fees, and increase regulation of recruiters. An interagency committee and its secretariat coordinated anti-trafficking activities and continued to implement the 2014-2018 national action plan; however, authorities did not report steps to prepare for activities subsequent to its conclusion in 2018. The government allocated 4.9 billion riels ($1.2 million) to fund this interagency committee—an increase from 4 billion riels ($975,000) in 2016—but observers noted this figure was still insufficient. Subsidiary provincial anti-trafficking committees, which reportedly continued to receive modest central government funds and assistance from NGOs, coordinated efforts at the local level to mirror the activities of the national action plan. With the help of international donors, six out of nine of these committees created their own provincial-level action plans and submitted them to the government (five in 2016). The secretariat of the NCCT maintained a working group to monitor the efforts of the interagency committee as well as those of its provincial subsidiary committees. However, NGOs noted the provincial committees' ad hoc reliance on insufficient surplus funds from General Social Services—rather than on their own annual budgets—undermined the scope and sustainability of their work. Lack of coordinating guidance from the national counterpart committee further impeded their effectiveness.

The Ministry of Labor and Vocational Training (MLVT) maintained a separate action plan aimed at reducing child labor and debt bondage in the service, agricultural, mining, and energy sectors by 2025 through awareness raising, increased legal action, and collaboration with civil society, funded in part through the national budget. MLVT also continued to implement its "National Employment Policy 2025," which sought to generate secure employment opportunities in hopes of discouraging the use of illicit migration channels known for trafficking vulnerabilities. The government continued to investigate and prosecute labor recruiters for illegal practices that may have contributed to or involved trafficking; in August, authorities shut down an unlicensed recruitment firm and arrested three men suspected of facilitating illicit labor migration to Japan. The government did not report whether the arrests culminated in further investigations, prosecutions, or convictions; officials and NGO observers noted labor officials' failure to sufficiently inspect private recruitment agencies, and the ability of these agencies to sub-license their names to independent brokers, continued to perpetuate widespread labor exploitation.

The Ministry of Education trained 894 of its officials and teachers across six provinces on trafficking awareness and safe migration during the reporting period. The General Department of Immigration also issued 210,000 border passes to Cambodian migrant workers, in lieu of passports, to incentivize safe labor migration to Thailand; as part of the same initiative, the government sent 360 officials to Thailand on a 100-day campaign to issue necessary documentation to migrant workers. The MFAIC continued to implement consular screening measures to reduce the sex and labor trafficking of Cambodian women via forced and fraudulent marriages, including by assessing applicants against trafficking victim profiles jointly developed with China in 2016. However, the MFA did not report referring these potential victims to law enforcement or protective services. The government maintained two labor recruitment agreements with Saudi Arabia and signed a new domestic worker recruitment agreement with Hong Kong.

The Ministry of Tourism held workshops for hotel staff and government officials on preventing child sexual exploitation in the hospitality industry. As in prior years, the government generally focused on deterring foreign involvement in child sex tourism, rather than targeting campaigns to the local population that constituted the main source of demand for commercial sex with children in Cambodia. Authorities reported arresting five foreign individuals suspected of engaging in child sex tourism (12 in 2016) but did not report whether they initiated prosecutions in any of these cases. Local experts reported concern over the government's ongoing failure to impose appropriate punishments on foreign nationals who purchase commercial sex acts with children. The government provided anti-trafficking training for its diplomatic personnel and to members of the military prior to their deployment abroad on peacekeeping initiatives.

TRAFFICKING PROFILE

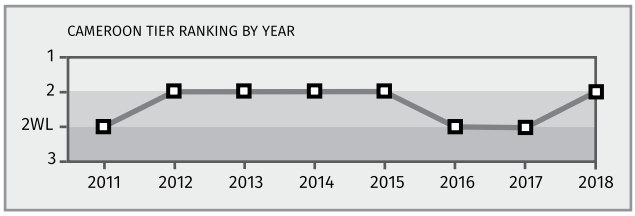
As reported over the last five years, Cambodia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; many are subjected to forced labor on fishing vessels, in agriculture, in construction, in factories, and in domestic servitude—often through debt bondage—or to sex trafficking. Migrants using irregular migration channels, predominantly with the assistance of unlicensed brokers, are at an increased risk of trafficking, but those using licensed recruiting agents also become victims of forced labor or sex trafficking. Children from impoverished families are vulnerable to forced labor, often with the complicity of their families, including in domestic servitude and forced begging or street vending in Thailand and Vietnam. Significant numbers of Cambodian men and boys continue to be recruited in Thailand to work on fishing boats and are subjected to forced labor on Thai-owned and operated vessels in international waters. Cambodian victims escaping from this form of exploitation have been identified in Malaysia, Indonesia, Mauritius, Fiji, Senegal, South Africa, and Papua New Guinea. Cambodian men report severe abuses by Thai captains, deceptive recruitment, underpaid wages, and being forced to remain aboard vessels for years. A significant number of women from rural areas are recruited under false pretenses to travel to China to enter into marriages with Chinese

men, who often incur as much as $20,000 in debt to brokers facilitating the transaction; some of these women are then subjected to forced factory labor or forced prostitution as a result of this debt.

All of Cambodia's 25 provinces are sources for human trafficking. Sex trafficking is largely clandestine; Cambodian and ethnic Vietnamese women and girls move from rural areas to cities and tourist destinations, where they are subjected to sex trafficking in brothels and, more frequently, such "indirect" sex establishments as beer gardens, massage parlors, salons, karaoke bars, retail spaces, and non-commercial sites. Cambodian men form the largest source of demand for children exploited in prostitution; however, men from elsewhere in Asia and Europe, the United States, Australia, and South Africa travel to Cambodia to engage in child sex tourism. The proprietors of brick kilns often subject Cambodian men, women, and children—often entire families—to debt bondage, either by buying off their preexisting loans or by requiring them to take out new loans as a condition of employment. An extensive, largely unregulated network of predatory microfinance organizations and private creditors contributes to this arrangement by proactively advertising loans to families in vulnerable communities and connecting them with the kilns. An NGO study conducted in 2017 found nearly 100 percent of brick kilns surveyed throughout the country featured indicators of debt bondage. Children as young as 13 are also subjected to forced domestic servitude and labor on riparian and oceanic fishing boats, in karaoke bars, and on cassava plantations to pay off family debts accrued through this system. Vietnamese women and children, many of whom are victims of debt bondage, travel to Cambodia and are subjected to sex trafficking. NGOs report criminal gangs transport some Vietnamese victims through Cambodia before they are exploited in Thailand and Malaysia. Traffickers in Cambodia are most commonly family or community members or small networks of independent brokers. Some Cambodian orphanages purchase local children from economically disadvantaged families and subject them to malnutrition and unclean living conditions in their facilities for the purpose of attracting and profiting from charitable donations; some of these children are at further risk of sex trafficking and domestic servitude as a result of poor government oversight of the adoption processes. Endemic corruption aids and abets trafficking crimes. Some police reportedly solicit commercial sex with children. Corrupt officials facilitate cross-border trafficking, thwart progress on investigations and prosecutions, and in some cases profit directly from establishments suspected of trafficking.

CAMEROON: TIER 2

The Government of Cameroon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Cameroon was upgraded to Tier 2. The government demonstrated increasing efforts by raising the number of investigations, prosecutions, and convictions of suspected traffickers; training law enforcement, judicial officials, and civil society actors on trafficking provisions in the revised penal code; increasing direct services to potential trafficking victims from Cameroon and other African countries; enhancing screening procedures at primary airports; and re-invigorating the inter-ministerial committee. However, the government did not meet the minimum standards in several key areas. The government did not fully disseminate its victim identification and national referral system (NRS) and standard operating procedures (SOPs) to all law enforcement or first responders, nor did it pass draft anti-trafficking legislation from 2012 that conforms to international law.



RECOMMENDATIONS FOR CAMEROON

Train law enforcement and NGO personnel on the NRS and SOPs on victim identification and referral to increase the ability of first responders to identify internal trafficking cases as well as movement-based forms of the crime; increase efforts to investigate, prosecute, and convict traffickers for all forms of trafficking—including complicit officials and cases referred by NGOs—under the "slavery in persons" provision of the penal code; increase repatriation assistance, including *laissez-passer* cards, to Cameroonian trafficking victims identified abroad; increase formal collaboration with NGOs on identifying and protecting victims and raising awareness of trafficking; provide training on trafficking investigations to the inter-ministerial anti-trafficking committee, and regularly convene the group; pass draft anti-trafficking legislation from 2012 that conforms to international law; amend the penal code to make a clear distinction between trafficking and smuggling; expand training for law enforcement, judiciary personnel, and social workers on the anti-trafficking section of the penal code and victim-centered investigations; publicize information to citizens on their rights as foreign workers and sources of assistance while abroad; investigate labor recruiters and agencies suspected of fraudulent recruitment—including unlicensed recruiters and intermediaries—and prosecute if complicit in trafficking; raise awareness of registered recruitment agencies to citizens; and develop a system to track trafficking cases and publicize relevant law enforcement and victim protection statistics.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international legal standards, the law required a demonstration of threat, fraud, deception, force, or other forms of coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of 10 to 20 years imprisonment and a fine of 50,000 to 1 million Central African CFA francs (CFA) ($88 to $1,760) for all forms of trafficking, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. If the offense involved a victim who was 15 years old or younger, the penalties increased to 15 to 20 years imprisonment and a fine of 100,000 to 10 million CFA ($180 to $17,610). The penalties for debt bondage ranged from five to 10 years imprisonment and a fine of 10,000 to 500,000 CFA ($18 to $880) and were also sufficiently stringent. The law was published in French and English, the two official languages of the government. The English version conflated trafficking in persons and smuggling offenses by referring to trafficking in persons offenses, as defined under international

law, as "slavery in persons," while referring to smuggling-related offenses as "trafficking in persons." Legislation drafted in 2012 to address victim and witness protection and correct inconsistencies with international law remained pending for the sixth consecutive year.

The Delegate General of National Security (DGSN) reported investigating 89 potential sex and labor trafficking cases during the reporting period that resulted in the prosecutions of 112 suspected traffickers under penal code article 342. Because article 342 prohibited both "trafficking in persons" and "slavery in persons," the 112 suspects may have included smugglers. The suspects were from all 10 regions of Cameroon and were either friends or family members of the potential victims. Although most of the reported cases involved alleged labor trafficking, at least five cases included suspected sex trafficking crimes. In addition to the 112 prosecutions stemming from DGSN investigations, the Ministry of Justice reported prosecuting 17 suspected traffickers, and convicting five traffickers during the reporting period, with four of those cases being tried under article 342 and one tried under charges of fraud. These efforts compared to 13 investigations, 13 prosecutions, and two convictions during the previous reporting period. The judiciary was reportedly investigating one government official for trafficking offenses that occurred over previous years.

Lawyer strikes in the Northwest and Southwest regions severely delayed court proceedings in Buea and Bamenda, where most of the trafficking cases were referred, which exacerbated judicial inefficiencies. In part because of insufficient—but improving—cooperation between the government and NGOs, and a weak judicial administration, some regional courts and NGOs encouraged victims to settle trafficking cases outside of court.

The government reported the Ministry of Justice, the DGSN, and Ministry of Social Affairs (MINAS) had each organized efforts to educate judges, law enforcement, and social workers on the provisions relevant to trafficking included in the revised penal code, although exact numbers of officials trained were unknown. In spite of these training efforts, some trafficking offenses may have been tried as child abuse or kidnapping, which carried lesser penalties.

PROTECTION

The government increased efforts to identify and protect victims, but did not provide comprehensive nation-wide statistics on the number of trafficking victims identified, referred, and assisted. The government reported identifying 104 potential victims through the course of law enforcement investigations, and identified and referred 32 probable child trafficking victims in Yaounde to the government-sponsored Centre d'Ecoute, where they received psycho-social services and other care. In 2017, MINAS reported identifying over 1,100 street children in urban centers throughout Cameroon who were highly vulnerable to trafficking; reunited 142 of those children with their families, placed 23 in government-sponsored care facilities, provided 40 with vocational training, and assisted 19 in resuming formal education. During 2016, the government reported identifying and providing services to 153 potential victims, although 42 of those were likely kidnapping victims. The Ministry of Health and MINAS partnered with international organizations to repatriate more than 559 Cameroonians from Libya and Niger, including potential trafficking victims. The government provided temporary shelter, medical care, and counseling to assist these individuals upon their arrival, in partnership with international organizations.

NGOs reported thousands of Cameroonian workers remained in Middle Eastern countries, and that many of these workers were victims of domestic servitude or sex trafficking. In 2017, the Cameroonian embassy in Saudi Arabia coordinated with the Ghanaian embassy in Kuwait to issue return travel documents to Cameroonian trafficking victims in Kuwait in March 2018. The victims have since been repatriated. During the reporting period, the government repatriated three trafficking victims who had been held in Kuwait's detention center and one victim from Saudi Arabia.

While the government had a NRS and SOPs to guide government officials in proactive identification and referral of victims of trafficking, implementation was limited and many officials had yet to be trained on the measures. MINAS had the authority to admit child trafficking victims to government institutions for vulnerable children, which offered shelter, food, medical and psychological care, education, vocational training, and family tracing. However, the government did not report referring victims to these facilities during the reporting period. Private centers funded by NGOs and regulated by MINAS provided care for an unknown number of child victims. Trafficking-specific services were not available for adult or child victims, but minors did receive services along with other vulnerable children.

The government did not have a formal policy to encourage victims to participate in investigations or prosecutions of their traffickers and did not report providing counseling, legal support, or any other assistance to victims who testified during court proceedings. NGOs reported the case of one victim who had to pay to travel long distances each time their suspected trafficker appeared at trial; the government gave no assistance or protection to the victim in spite of multiple adjournments, and threats made against her by the suspected trafficker's relatives. While there were no reports the government detained, fined, or jailed any trafficking victims for unlawful acts committed as a result of being subjected to trafficking, some victims may have remained unidentified in the law enforcement system due to the limited use of the NRS and SOPs. The government could grant temporary residency status to foreign victims who, if deported, may face hardship or retribution; however, it did not report use of this accommodation during the reporting period. MINAS, through its Reception and Observation Center in Douala Bepanda, continued to provide services during this reporting period to two foreign trafficking victims identified in previous reporting periods.

PREVENTION

The government maintained prevention efforts. A lack of coordination and funding impeded implementation of the 2017-2019 anti-trafficking national action plan. The anti-trafficking inter-ministerial committee held five meetings, compared with zero during the previous reporting period, and increased collaboration with NGOs and civil society representatives during those sessions. The government organized two press events to raise awareness of the risks of fraudulent recruitment to the Middle East that reached an unknown number of Cameroonians. Although the government did not provide specific funding to implement the national action plan, some of the activities under the action plan were included in the budgets of individual ministries. The government increased its engagement with NGOs and civil society, including through its inter-ministerial committee to combat trafficking, which was a key component of its national action plan.

MINAS and the police conducted a campaign in the summer of 2017 aimed at sensitizing parents of the risk of child labor (including trafficking) and warning of potential punishment for complicit parents. To reduce the number of Cameroonian women exploited in destination countries in the Middle East, the government enhanced screening procedures at its airports, requiring proof of valid contracts in some cases. Ministry of Employment and Vocational Training (MINEFOP) officials reported vulnerable individuals used unauthorized recruiters to seek employment abroad, but the government did not investigate those suspicious recruitment practices. The government reported that MINEFOP, in conjunction with the Ministry of Labor and Social Security, monitored formal labor recruiters and revoked the licenses of an unknown number of fraudulent labor recruitment firms. The government reported it was actively negotiating with the governments of Lebanon and Qatar to finalize anti-trafficking memorandums of understanding, initiated during the previous reporting period by the Ministry of External Relations. NGOs reported the government maintained its travel ban for women traveling to the Middle East from Douala Airport. While this may have prevented some cases of trafficking, to circumvent the ban, migrant workers were reported to have traveled through Nigeria en route to the Middle East, thus increasing their vulnerability to trafficking. In partnership with an international organization, the government provided briefings on international humanitarian law, which included a trafficking component, to members of the Cameroonian armed forces prior to their deployments abroad.

TRAFFICKING PROFILE

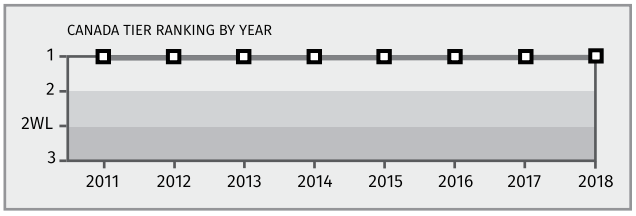
As reported over the past five years, Cameroon is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking and a source country for men in forced labor. Child traffickers often use the promise of education or a better life in the city to convince rural parents to give their children over to an intermediary, who then exploits the children in sex trafficking or forced labor. Sometimes relatives subject children to sex trafficking within the country. Homeless children and orphans are especially vulnerable to trafficking. Teenagers and adolescents from economically disadvantaged families are often lured to cities by the prospect of employment but are subjected to labor or sex trafficking. Cameroonian children are exploited in domestic service, restaurants, begging or vending on streets and highways, artisanal gold mining, gravel quarries, fishing, animal breeding, and agriculture (on onion, cotton, tea and cocoa plantations), as well as in urban transportation assisting bus drivers and in construction as errand boys, laborers, or night watchmen. Children from neighboring countries are exploited in spare parts shops or by herders in northern Cameroon and transit the country en route to Gabon and Equatorial Guinea.

An international organization reported Cameroon currently has over 665,000 individuals of concern as of February 2018—including refugees and internally displaced persons (IDPs)—who are vulnerable to trafficking due to their economic instability and lack of access to formal justice. There continued to be reports of hereditary servitude imposed on former slaves in some chiefdoms in the North region. Boko Haram's activities on the border with Nigeria and instability in neighboring CAR has contributed to the displacement of many of these refugees and IDPs. CAR refugee children are forced to engage in artisanal gold mining and sex trafficking in some areas of the East and Adamawa regions. An NGO alleged that in 2016 some officially sanctioned community watch groups (vigilance committees) may have used and recruited children as young as 12 years old. Boko Haram is a consistent terrorist threat, and continues forcibly to recruit Cameroonian children as porters, cooks, and scouts. Boko Haram also uses women and girls as forced suicide bombers and sex slaves; and boys as child soldiers.

Cameroonians from disadvantaged social strata, in particular from rural areas, are exploited in forced labor and sex trafficking in the Middle East (especially Kuwait and Lebanon), as well as in Europe (including Switzerland and Cyprus), the United States, and multiple African countries (including Nigeria). Most exploited Cameroonians abroad are between the ages of 20 and 38, and come from the Northwest, Southwest, Littoral, Center, South, and West Regions. Some Cameroonian women are recruited by fraudulent labor brokers for domestic work in the Middle East but fall victim to sex trafficking or domestic servitude upon arrival. Some economic migrants in search of opportunity became victims of trafficking in Libya, or while in transit through Niger. Trafficking networks commonly consist of local community members, including religious leaders and former trafficking victims who have transitioned to perpetrators. These networks advertise jobs through the internet and other media, and recruit and sell other Cameroonians directly to families in need of domestic servants. Advocates working in the field report local awareness-raising activities targeting fraudulent recruitment have raised awareness among vulnerable populations, but have caused intermediaries to operate with greater discretion, often directing victims to travel to the Middle East through neighboring countries, including Nigeria. International organizations, NGOs, and migrants report Cameroonian trafficking networks in Morocco force women into prostitution.

CANADA: TIER 1

The Government of Canada fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Canada remained on Tier 1. The government demonstrated serious and sustained efforts by prosecuting traffickers, including labor traffickers; increasing its identification of financial transactions suspected of being linked to trafficking; providing funding for victim services and funding a new initiative to develop emergency housing for trafficking victims; and strengthening efforts to prevent labor exploitation and trafficking among temporary foreign workers. Although the government meets the minimum standards, it reported fewer convictions for the third consecutive year, and it did not provide comprehensive data on investigations, prosecutions, and convictions from all jurisdictions. It also did not provide comprehensive data on victims provided with services nationwide or provide sufficient emergency housing specifically for trafficking victims. The range, quality, and timely delivery of trafficking-specific services varied nationwide. While the government began consultations to develop a new national action plan, it did not publish a new plan in 2017.



RECOMMENDATIONS FOR CANADA

Publish and implement a new national anti-trafficking action plan; increase convictions of trafficking crimes through a victim-centered approach; increase use of proactive law enforcement techniques to investigate human trafficking, particularly forced labor; increase proactive identification of victims, particularly through screening among vulnerable populations; increase trauma-informed specialized services and shelter available to all trafficking victims, in partnership with civil society and through ongoing dedicated funding from federal and provincial governments; implement plans to fund and establish a national human trafficking hotline; improve trafficking data collection, including documentation of investigations, prosecutions, and convictions and numbers of identified victims and assistance provided nationwide; increase training for government officials, particularly for prosecutors and judges; improve coordination and communication among federal, provincial, and territorial actors and strengthen provincial interagency efforts; draft and enact a code of conduct for federal procurement to address risks of trafficking in the federal supply chain; and investigate and prosecute Canadian child sex tourists.

PROSECUTION

The government maintained law enforcement efforts. Criminal code sections 279.01 and 279.011 criminalized sex and labor trafficking, prescribing penalties of four to 14 years imprisonment for trafficking adults and five to 14 years imprisonment for trafficking children. Such penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Section 279.02 also criminalized receiving financial or any other material benefit from trafficking and prescribed a maximum penalty of 10 years imprisonment with adult victims and a mandatory minimum of two years to a maximum of 14 years imprisonment with child victims. Section 279.03 criminalized withholding or destroying documents to facilitate trafficking; and prescribed a maximum penalty of five years imprisonment for adult victims and a mandatory minimum of one year to a maximum of 10 years imprisonment for child victims. Section 286.1 criminalized purchasing commercial sex acts from an individual under 18 years of age and prescribed a maximum penalty of 10 years imprisonment.

Government officials at the federal, provincial, and municipal levels may investigate, prosecute, and convict traffickers; however, the government did not report comprehensive data at each of these levels. The government reported federal officials responsible for enforcing immigration law opened six new investigations. In 2017, federal, provincial, and municipal law enforcement officials charged 78 individuals in 47 trafficking cases (two for labor trafficking) compared to 107 individuals in 68 trafficking cases (none for labor trafficking) in 2016, and 112 individuals in 63 cases (two for labor trafficking) in 2015. Federal, provincial, and municipal prosecutions continued against 295 individuals, including 10 suspected labor traffickers, compared to 300 individuals, including 34 suspected labor traffickers, in 2017. The federal courts reported convictions of five traffickers in 2017, including one labor trafficker, compared to 10 sex traffickers and no labor traffickers in 2016, and imposed sentences ranging from two to 12 years imprisonment, compared to sentences ranging from six months to 9.5 years imprisonment in 2016. Federal authorities continued to collect provincial and municipal data through the Uniform Crime Reporting Program, however not all jurisdictions participated. The federal government did not provide data on investigations or convictions at the provincial or municipal level, however it launched a pilot project with Ontario to provide all relevant provincial trafficking case data and which may serve as a national model. NGOs noted a continued imbalance in the government's anti-trafficking efforts, with greater attention to and understanding of sex trafficking versus forced labor. NGOs and other non-governmental experts indicated police and prosecutors' understanding of trafficking varied, leading some officials to categorize trafficking cases as other crimes or to bring civil instead of criminal charges. Federal law enforcement coordinated its sixth proactive "Northern Spotlight" operation to identify sex trafficking victims and investigate and prosecute traffickers, which resulted in 21 charges against suspects in 2017. The federal government continued its work to identify and report financial transactions suspected of being linked to the laundering of proceeds from trafficking, which resulted in 196 disclosures nationwide in 2017 compared to 102 in 2016. Federal and provincial authorities conducted training sessions for law enforcement, immigration, and labor officials and maintained online training courses offered to social, child protection victim services, and shelter workers. Some law enforcement officials reported, however, that not all immigration officials received anti-trafficking training. The federal Royal Canadian Mounted Police (RCMP) included trafficking in the national academy training for all new recruits, trained 147 police officers in an in-depth human trafficking investigators' course, and maintained a national anti-trafficking enforcement unit in Quebec. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. Police identified 60 new victims in trafficking-specific cases in 2017, compared to 77 in 2016 and 99 in 2015. Of the 60 new victims identified, 57 were female and three were male; 31 were adults and 29 were children; 57 were victims of sex trafficking and three were victims of forced labor. Authorities reported a total of 416 trafficking victims related to current and ongoing cases before the courts where trafficking-specific charges were laid in 2017, compared to 367 trafficking victims in 2016. Police, immigration officials, and prosecutors used victim identification guidelines specific to their roles to screen potential trafficking victims using established indicators and both federal and provincial officials partnered with NGOs to provide training and conduct outreach to vulnerable populations. At the provincial level, the government of British Colombia identified 132 potential victims through calls received by their hotline. Civil society reported provincial and territorial governments needed additional resources and personnel to proactively identify trafficking victims among vulnerable groups and monitor effectively the labor conditions of temporary foreign workers.

The federal government reported assisting trafficking victims through its crime victim assistance regime, which relied on Justice Canada's funding to the provinces and territories. Through this regime, the federal government allocated funding to several NGOs to provide services to trafficking victims, and these NGOs assisted at least 409 victims in 2017. The government provided access to services depending on the jurisdiction where the crime victim resided, with each province or territory using a police-based, court-based, or system-based service delivery model. Services provided included emergency financial assistance, food, housing, health services, and legal services. NGOs, with provincial and federal support, also

provided specific services, as did provincial crime victim assistance centers, where available. Such services generally included shelter, legal and immigration services, medical care, psychological and crisis counseling, income support, and interpretation. While service providers operated 629 shelters for women who were victims of violence nationwide, only three shelters provided beds specifically for trafficking victims. Service providers expressed concern about the lack of shelters given that only 24 beds are dedicated specifically to such victims, which led to having to relocate victims to other provinces and a burden on service providers. Experts reported some shelters for victims of domestic violence would not accept trafficking victims due to the complexity of their needs and out of fear of their traffickers. The government did not have dedicated shelters for male victims. In 2017, the federal government announced a new initiative to provide 8.4 million Canadian dollars ($6.7 million) to at least three provinces to develop emergency housing to address the specific needs of trafficking victims, including an initiative in Ontario to provide emergency and transitional housing and other services. Similar to past years, the Department of Justice designated 500,000 Canadian dollars ($398,400) for 14 projects spread across the country for victim services to female sex trafficking victims in 2017. The Department of Justice funded child advocacy centers operated by provincial or municipal governments or NGOs, some of which provided trafficking-specific services to victims. Under the Canadian Crime Victims Bill of Rights, a victim may request information about the offender's conviction and has opportunities to present information to decision-makers for consideration, protection, and restitution; the government did not provide information on whether trafficking victims accessed these rights. The government did not report any victims who filed for or obtained restitution in 2017 for the second consecutive year.

At least four of the 10 provincial governments dedicated funding to victim assistance: Alberta funded a coalition to provide coordination and services; British Columbia funded a government entity to provide referrals and services, which provided assistance to at least 30 trafficking victims; Manitoba funded a government-NGO response team; and Ontario funded a government entity to provide coordination and services, which provided specialized court-based services assistance to over 500 trafficking victims. The range, quality, and timely delivery of services varied, although most provinces could offer trafficking victims access to shelter services intended for victims of violence or the homeless population, short-term counseling, court assistance, and other services. In 2017, Manitoba provided at least 10.3 million Canadian dollars ($8.2 million) for initiatives to identify and assist those at risk of and victims of sexual exploitation, including sex trafficking. Also in 2017, Ontario announced 18.6 million Canadian dollars ($14.8 million) over three years to improve survivor's access to services such as housing, mental health services, and trauma counseling. Québec's Victim Assistance Fund did not compensate or provide funding or services to women in prostitution, even if the woman was identified as a sex trafficking victim.

Foreign trafficking victims could apply for a temporary resident permit (TRP) to remain in Canada, which entitled victims to access health care and receive a work permit. The government provided access to health care benefits to foreign victims through the interim federal health program or through provincial or territorial health insurance programs. NGOs reported long wait times to receive TRPs if victims do not cooperate with law enforcement. NGOs also reported a need for more trauma-informed care for victims, who were sometimes re-traumatized by the health care system. The government issued TRPs to 29 foreign victims in 2017 and three to dependents, denying only two applications, compared with 67 TRPs in 2016. Sixteen permits were issued to first-time recipients and 16 were issued to persons who had previously received TRPs. The government provided foreign trafficking victims eligibility for short-term 180-day TRPs or long-term three-year TRPs. TRP holders could apply for fee-exempt work permits, but the government did not report how many foreign victims received permits in 2017. Some government officials and NGOs reported difficulties and delays in getting TRPs for foreign victims despite the fact that victims were not required to cooperate with law enforcement to receive a TRP. While victims waited to receive TRPs, they could not access government services, but could receive assistance from NGOs. There were no reports that the government penalized identified victims for crimes committed as a direct result of being subjected to human trafficking. Canadian law provided extensive victim witness protections to encourage victims to participate in the investigation and prosecution of cases, including video testimony, the presence of a support person during testimony, a ban on publishing the names of witnesses, and the exclusion of members of the public in the courtroom.

PREVENTION

The government increased prevention efforts. Public Safety Canada (PSC) led a federal interagency task force, reviewed its national anti-trafficking strategy through consultations with stakeholders, and released its annual progress report on the implementation of the national plan. In 2017, PSC also hosted two national teleconferences for provincial and regional governments and stakeholders to share information, trends, and best practices related to forced labor and victim services. The government announced plans to provide 14.5 million Canadian dollars ($11.6 million) over five years, beginning in 2018-2019, to establish a national human trafficking hotline to be operated by an NGO. The government-funded and promoted awareness-raising campaigns, including on labor trafficking and fraud in foreign labor recruiting, in partnership with civil society, aimed at indigenous people, youth, law enforcement, and the public. The RCMP Human Trafficking National Coordination Center and three regional human trafficking awareness coordinators in the provinces of British Columbia, Quebec, and Nova Scotia served as anti-trafficking points of contact for law enforcement across the country and participated in meetings to share local strategies, best practices, and successful cases. British Columbia's provincial anti-trafficking office continued to conduct training, prevention, and awareness activities. The government of Ontario continued to implement its comprehensive, survivor-focused provincial anti-trafficking strategy. In 2016 the province allocated 72 million Canadian dollars ($57.4 million) over four years to address human trafficking, and in 2017 announced 18.6 million Canadian dollars ($14.8 million) in new funding to 44 service providers, as well as $7 million Canadian dollars ($5.6 million) in joint provincial/federal funding dedicated to providing housing support to victims, a significant need in Ontario. NGOs cited the need for better coordination among the federal, provincial, and territorial governments on anti-trafficking law enforcement.

The government strengthened the Temporary Foreign Worker Program by allocating 199.6 million Canadian dollars ($159 million) over five years to enforce laws and prevent labor exploitation and trafficking among these workers. In 2017, the government increased on-site inspections and received 900 tips related to conduct often associated with labor exploitation and potential forced labor cases via its online reporting tool

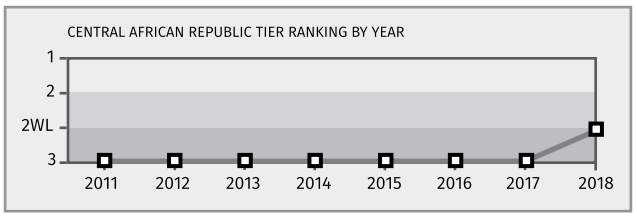
and hotline, 176 of which it referred for further investigation. The government held seven consultations with provincial or territorial governments, employers, employer associations, organized labor, legal service providers to receive feedback on the program and began updating communication materials about worker rights and employer responsibilities. The government provided funding for awareness-raising workshops with foreign workers and an online reporting tool. According to NGO contacts, Canada's temporary foreign worker program continued to be a vehicle for trafficking. The government conducted outreach to domestic workers of foreign diplomats to prevent and identify trafficking cases, but it did not report whether the outreach led to new cases. Authorities continued to distribute a publication warning Canadians traveling abroad about penalties under Canada's child sex tourism law. The government did not report any child sex tourism investigations, prosecutions, or convictions in 2017 for the second consecutive year. The government provided more than 18 million Canadian dollars ($14.3 million) to support anti-trafficking initiatives in more than a dozen countries globally. Canada participated in the fourth annual trilateral trafficking in persons working group meeting with Mexico and the United States and shared best practices in the area of monitoring financial transactions potentially linked to human trafficking. The government made efforts to reduce the demand for commercial sex and forced labor through awareness-raising, training, and research. The government researched and began developing a new code of conduct for federal procurement to address risks of trafficking in the federal supply chain. The government provided anti-trafficking information to its military forces prior to deployment on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Canada is a source, transit, and destination country for men, women, and children subjected to sex trafficking, and a destination country for men and women subjected to forced labor. Women, children from indigenous communities, migrants, LGBTI youth, at-risk youth, runaway youth, and youth in the child welfare system are especially vulnerable. Foreign women, primarily from Asia and Eastern Europe, are subjected to sex trafficking in Canada by traffickers with links to transnational organized crime. Labor trafficking victims include workers from Eastern Europe, Asia, Latin America, and Africa who enter Canada legally, but are subsequently subjected to forced labor in a variety of sectors, including agriculture, construction, food processing plants, restaurants, the hospitality sector, or as domestic workers, including diplomatic households. Canada is a source country for tourists who travel abroad to engage in sex acts with children. Canadian trafficking victims have been exploited in the United States.

CENTRAL AFRICAN REPUBLIC: TIER 2 WATCH LIST

The Government of the Central African Republic (CAR) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore CAR was upgraded to Tier 2 Watch List. These achievements included establishing the Mixed Unit for Rapid Intervention and Repression of Sexual Violence to Women and Children (UMIRR) in Bangui; implementing a disarmament, demobilization, and reintegration program through which it identified and referred more than 3,000 child soldiers to care in partnership with an international organization; and providing training to law enforcement, judicial, and civil society actors. The government partnered with international organizations to implement standard operating procedures for identifying trafficking victims and launched an awareness raising campaign. Despite these achievements, the government did not report prosecuting or convicting any traffickers or holding accountable armed groups that recruited and used child soldiers.



RECOMMENDATIONS FOR CENTRAL AFRICAN REPUBLIC

Increase efforts to investigate, prosecute, convict, and adequately sentence traffickers, specifically government officials or armed group members who unlawfully recruit child soldiers; increase anti-trafficking training for the UMIRR and the Special Criminal Court so that they can effectively identify and prosecute trafficking cases and refer victims to care; take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; fully implement the child soldier reintegration national action plan; hold court hearings for suspected trafficking cases; thoroughly vet incoming members of the reconstituted Central African Armed Forces (FACA) to ensure soldiers who have committed abuses against children are not reintegrated; in collaboration with NGOs and the international community, provide care to demobilized child soldiers and children in commercial sexual exploitation and forced labor; incorporate and implement programs to combat all forms of human trafficking in existing national action plans; and increase efforts to educate and encourage the public and relevant governmental authorities to identify and report trafficking victims among vulnerable populations, such as women in prostitution, street children, children associated with armed groups, and Ba'aka minorities.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts during the reporting period. Article 151 of the penal code criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and ,with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as kidnapping. If the offense involved a child victim of sex trafficking or forced labor similar to slavery, the prescribed penalties increased to five to 10 years imprisonment with hard labor. Articles 7 and 8 of the 2009 Labor Code criminalized forced and bonded labor and prescribed sufficiently stringent penalties of five to 10 years imprisonment.

The government did not report investigating or prosecuting any trafficking cases during the reporting period, and has not convicted any traffickers since 2008. Due to years of destabilizing conflict, formal judicial capacity outside the capital has been severely limited, which has led to the use of customary dispute

resolution methods through which traditional chiefs or community leaders administer punishment for criminal acts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government coordinated with an international organization to organize six anti-trafficking trainings for 99 government and civil society actors including law enforcement officials, magistrates, lawyers, and heads of human rights organizations.

In June 2017, supported by international organizations, the government inaugurated the UMIRR based in Bangui, composed of gendarme and police. The UMIRR focused on sexual violence against women and children in armed conflict, which included child soldiers and potential victims of forced labor or sexual exploitation. The UMIRR investigated an estimated 10 cases during the reporting period, but the government did not report the results of those investigations or if any involved trafficking crimes.

PROTECTION

The government increased efforts to identify and protect victims. The government reported identifying 39 child trafficking victims—the same number identified during the previous reporting period; however, it did not report additional details on the forms of exploitation endured or whether it provided care to any of these victims or otherwise referred them for services. An international organization identified 253 victims (177 women and 76 men), but did not report whether they were victims of forced labor or sex trafficking.

The Ministry of Justice, with support from an international organization, implemented standard operating procedures (SOPs) —developed in 2016—for the identification of victims during the reporting period; however, the government did not report the number of trained personnel familiar with the procedures, which raised questions about the effectiveness of the SOPs. The Ministry of Social Affairs continued to provide financial support to an NGO for the operation of an orphanage to house and assist children, including potential trafficking victims. The government could refer trafficking victims to NGOs that accept, but do not specialize in assisting, trafficking victims; however, the government did not report referring any victims to NGOs or other service providers for assistance. In previous years, reports indicated the government arrested and jailed individuals engaged in commercial sex, some of whom may have been trafficking victims, without verifying their ages or attempting to identify indicators of trafficking; it is unknown whether the government punished any individuals for engaging in commercial sex during this reporting period. The government did not report providing legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

During the reporting period, the government's Disarmament, Demobilization, and Reintegration program leveraged partnerships with NGOs, international organizations, and foreign governments to assist with the reintegration of child soldiers into civilian life, and provided them medical and psychological services, in addition to vocational training. The government reported identifying more than 3,000 children associated with armed groups, including more than 800 girls, and referred them to international organizations for care in 2017. No other specialized care was available for child or adult trafficking victims in the country. The law allows victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no reports this occurred during the reporting period.

PREVENTION

The government modestly increased prevention efforts during the reporting period. It partnered with an international organization to develop and launch an awareness raising campaign in 10 communes across the country and used community radio broadcasts in local languages to increase its reach. The government operated a 24-hour hotline operated by UMIRR, which was staffed by French and local language speakers; however, the government did not provide statistics on the number of calls it received. The government did not make any progress in drafting or implementing a national action plan to combat trafficking and remained without a lead entity or coordinating body to drive national anti-trafficking efforts.

As part of the International Day against the Enlistment of Children in Armed Groups, the government collaborated with international organizations to launch a one-month campaign against the recruitment of child soldiers in February 2018. Additionally, the government developed a national action plan to address the recruitment and use of child soldiers, and to plan for the reintegration of victims. The 2017-2021 National Recovery and Peacebuilding Plan (RCPCA) aimed to re-establish peace and security, and support reconciliation, through disarmament and reintegration of child soldiers, in addition to promoting legal reform, seeking justice for victims, and improving access to education; however, implementation of the national action plan to address the recruitment of child soldiers and the RCPCA was limited due to budgetary shortfalls, lack of security across the country, and gaps in coordination within the government, and with donors. The government did not have an effective policy on holding foreign labor recruiters liable for fraudulent recruitment. The government did not report any measures to reduce the demand for commercial sex acts or forced labor, and did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, CAR is a source and transit country for children subjected to forced labor and sex trafficking, women subjected to forced prostitution, and adults subjected to forced labor. Observers report most victims are CAR citizens exploited within the country, and a smaller number transported between CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo (DRC), Sudan, or South Sudan. Traffickers, as well as transient merchants and herders, subject children to domestic servitude, commercial sexual exploitation, and forced labor in agriculture, artisanal gold and diamond mines, shops, and street vending. Within the country, children are at risk of becoming victims of forced labor, and Ba'aka (pygmy) minorities are at risk of becoming victims of forced agricultural work, especially in the region around the Lobaye rainforest. Girls are at risk of being exploited in commercial sex in urban centers. Girls forced into marriages are often subjected to domestic servitude, sexual slavery, and possibly sex trafficking.

Surges in violent conflict in recent years resulted in chronic instability and the displacement of more than one million people, increasing the vulnerability of men, women, and children to forced labor and sex trafficking. In 2017, almost 700,000 people remained internally displaced inside the country and approximately 540,000 individuals sought

refuge in neighboring countries. This is an increase from 402,000 internally displaced people and 464,000 refugees the previous year. An international organization has identified more than 10,000 refugees residing in CAR and more than 45,000 refugee returnees spontaneously returned to CAR in 2017. The government's lack of control and presence in much of the country impairs its ability to effectively combat the worst forms of child labor nationwide. There is limited information about the forms of exploitation believed to have increased as a result of ongoing conflict.

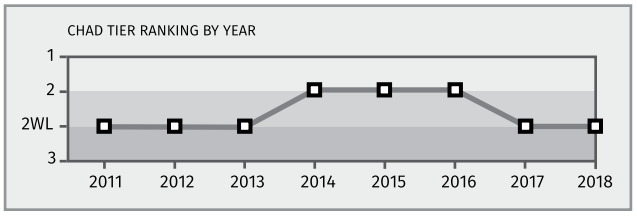
The recruitment and use of children by armed groups, at times through force, has been widely documented; however, there were no verified cases of government-affiliated forces recruiting or using child soldiers during the reporting period. An international organization reported between 6,000 and 10,000 children were recruited by armed groups during the latest conflict through 2015. The government ratified the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in September 2017 and ratified the African Charter on the Rights and Welfare of the Child in July 2016. The Ministry of Justice announced measures to incorporate into national legislation provisions to criminalize actions committed by members of armed groups to include the recruitment or use of children in armed conflict.

United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) has more than 10,000 peacekeeping forces and police in CAR to protect civilians, provide security, support humanitarian operations, and promote and protect human rights, among other objectives; however, allegations of sexual abuse by peacekeepers within MINUSCA persisted during the reporting period. The UN investigated six alleged sexual exploitation cases of MINUSCA peacekeepers, police, and UN civilian staff. More than 100 cases were reported since MINUSCA's inception in September 2014. Peacekeepers from the DRC and the Republic of Congo allegedly perpetrated the majority of these 50 reported cases.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operates in CAR's eastern regions, continued to abduct boys and girls for use as cooks, porters, concubines, and combatants during the reporting period. Due to regional counter-LRA operations, LRA activities decreased compared to previous years, but the group remains a threat.

CHAD: TIER 2 WATCH LIST

The Government of Chad does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by enacting a new criminal code that criminalized all forms of labor and sex trafficking, beginning implementation of an identification and referral procedure, and forming a national commission to combat trafficking. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government reported a decrease in the number of prosecutions compared to the previous year and did not convict any traffickers for the second consecutive year. Therefore Chad remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR CHAD

Vigorously investigate and prosecute suspected trafficking offenders according to Presidential Ordinance 006/18; increase training on the trafficking investigation guide and new criminal code to law enforcement officers, prosecutors, and magistrates; disseminate standard operating procedures for the identification and referral of trafficking victims to security services, law enforcement, and civil society; work with NGOs and international organizations to increase the provision of protective services to all trafficking victims; regularly convene the National Commission against Trafficking in Persons and inter-ministerial committee, and include civil society, international organizations, and NGOs in the meetings; and raise public awareness of trafficking issues, particularly at the local level among tribal leaders and other members of the traditional justice system.

PROSECUTION

The government maintained minimal law enforcement efforts. In May 2017, the president signed the revised penal code into law, which criminalized labor and sex trafficking offenses through a variety of new criminal provisions. Article 330 criminalized the recruitment, transfer, harbor, or receipt of a person for the purpose of trafficking and prescribed penalties of five to 10 years imprisonment and a fine of 100,000 to 5 million Central African CFA francs (CFA) ($180 to $8,810); these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Articles 327 and 331 together criminalized "involuntary labor" or servitude through the use of force, fraud, or coercion and prescribed a penalty of two to 10 years imprisonment, or a fine of 100,000 to 1 million CFA ($180 to $1,760), or both; these penalties were sufficiently stringent. Articles 328 and 331 together criminalized slavery through the use of force, fraud, or coercion and prescribed penalties of 10 to 20 years and 200,000 to 10 million CFA ($350 to $17,610); these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 335 and 336 together criminalized the prostitution of adults through the use of force, fraud, or coercion and the exploitation of children through prostitution and prescribed penalties of two to five years imprisonment and 100,000 to 2 million CFA ($180 to $3,520); these penalties were sufficiently stringent but not commensurate with other serious crimes, such as rape. The African Charter on the Rights and Welfare of the Child, the January 1991 Ordinance on the Reorganization of the Armed Forces, and the Optional Protocol to the Convention on the Rights of the Child criminalized recruitment of children younger than 18 years; punishment for those who violate this provision was at the discretion of military justice officials. In March 2018, the president signed an ordinance that criminalized trafficking in persons and created the National Commission for the Fight against Trafficking in Persons. The National Assembly was reviewing proposed revisions of the Child Protection Code, Labor Code, and Family Code, which contained additional provisions criminalizing child trafficking and increasing protections for children working in the informal sector.

Although the government did not collect comprehensive law enforcement data, it reported investigating one potential trafficking case involving an 11-year-old girl, and it did not prosecute any suspected traffickers. The government did not convict any traffickers for the second consecutive year. During the previous year, the government investigated and prosecuted one *marabout*, a teacher at a Quranic school, for the alleged forced begging of two Quranic school students; however, prolonged strikes and closures of the courts due to a lack of government funding stemming from a severe economic crisis resulted in the suspension of cases across the country, including the trafficking case. The government provided no further information on the progress of this case. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, NGOs reported some local officials' suspected involvement in trafficking during the reporting period. In November 2017, government law enforcement officials cooperated with INTERPOL in an international anti-trafficking investigation that resulted in the release of over 500 potential trafficking victims, but authorities did not share any investigation or victim referral data.

PROTECTION

The government maintained minimal efforts to identify and protect trafficking victims, but worked to improve its capacity to undertake such efforts by initiating the implementation of a victim identification and referral procedure. Acknowledging Chad's public sector services were unavailable for most of the reporting period, especially outside of N'Djamena, officials did not report identifying or referring any victims to services, compared with two victims identified and referred to a public hospital during the previous year. The government's regional child protection technical committees, located in eight of Chad's 23 regions, also did not report identifying or referring any child victims of trafficking to protective services. The government established formal victim identification and referral procedures, consisting of law enforcement officials or other first responders notifying the Ministry of Justice's Child Protection Directorate, international organizations, and NGOs of potential trafficking cases; however, dissemination and implementation were unknown. Due to budgetary constraints, the government did not disseminate its guide for security forces and civil society, which outlined steps to assist suspected trafficking victims with a victim-centered approach. The guide also detailed the roles of different institutions during an investigation and provided guidance on social services, health centers, and shelters, as well as information about how to reunite victims with their families when possible.

The Ministry of Women, Family, and National Solidarity, in partnership with an international organization operated reception centers throughout the country. During the reporting period, these shelters provided temporary housing, food, and education to victims of gender-based violence and other crimes, including potential victims of trafficking. The government did not have a formal policy to offer temporary or permanent residency for foreign victims of trafficking, and did not report providing services to those victims. There were no reports the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; however, without widespread implementation of formal victim identification procedures, some victims may have remained unidentified in the law enforcement system.

PREVENTION

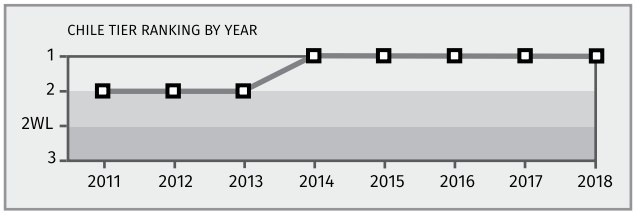
The government increased efforts to prevent trafficking. At the end of the reporting period, the president issued a decree highlighting the government's commitment to combating human trafficking and publicized the announcement on national television. The decree created the National Commission for the Fight against Trafficking in Persons, which will be supervised by the Ministry of Justice. Unlike previous years, the government did not report implementation of its national action plan, due to widespread government shutdown of services for much of the reporting period. For the second consecutive year, the inter-ministerial committee responsible for coordinating government efforts to combat trafficking did not convene due to multiple cabinet reshuffles throughout the reporting period. The government made no discernible efforts to raise awareness on trafficking or reduce the demand for forced labor or commercial sex during the reporting period. A lack of identity documentation is a risk factor for trafficking in Chad, and the government continued to implement the 2013 birth registration policy requiring universal issuances of uniform birth certificates, as well as proceeding with plans for biometric identification documents. The government provided Chadian troops human rights training, which included an anti-trafficking component, prior to their deployment abroad on international peacekeeping missions, in collaboration with a foreign donor. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

TRAFFICKING PROFILE

Chad is a source, transit, and destination country for children subjected to forced labor and sex trafficking. The country's trafficking problem is primarily internal and frequently involves children being entrusted to relatives or intermediaries in return for promises of education, apprenticeship, goods, or money, and subsequently subjected to forced labor in domestic service or herding. Children are subjected to forced labor as beggars in urban areas, agricultural laborers, gold mining in the north of the country, charcoal production, and as domestic workers. In some regions, children are involved in catching, smoking, and selling fish. Some children who leave their villages to attend traditional Quranic schools, known as *mouhadjirin*, are forced into begging, street vending, or other labor. Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and, at times, cross ill-defined international borders into Cameroon, the Central African Republic, Sudan, and Nigeria. Some of these children are sold in markets for use in cattle or camel herding. In some cases, child herders are subjected to forced labor by military or local government officials. Chadian girls travel to larger towns in search of work, where some are subsequently subjected to child sex trafficking or are abused in domestic servitude; child sex trafficking is also a concern among refugees and internally displaced people in Chad. Forced labor in prisons occurred. According to an international organization, Chad hosts over 606,000 refugees, internally displaced persons, asylum-seekers, and refugee returnees; populations that are vulnerable to trafficking due to their economic instability and lack of access to support systems. NGOs report the Nigerian terrorist group Boko Haram and its offshoot Islamic State-West Africa are involved in child trafficking. Vigilante groups tasked with defending people and property in rural areas may have recruited and used children in armed conflict.

CHILE: TIER 1

The Government of Chile fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Chile remained on Tier 1. The government demonstrated serious and sustained efforts by tripling the number of convictions, increasing funding for victim services, assisting a greater number of child sex trafficking victims, and securing a line item budget for the national action plan. Although the government meets the minimum standards, weak sentences for trafficking convictions continued to hamper efforts to deter and hold traffickers accountable. No convicted traffickers received prison sentences during the year. The government continued to prosecute and convict internal child sex trafficking cases under a law that did not prescribe penalties commensurate with other serious crimes. The government did not provide adequate specialized shelters for male victims or those outside of the capital.



RECOMMENDATIONS FOR CHILE

Increase efforts to penalize traffickers with dissuasive sentences proportionate to the severity of the crime; investigate, prosecute, and convict all forms of human trafficking, including internal child sex trafficking, under article 411 of the penal code; expand access to specialized shelters for victims, including male victims and victims outside the capital; increase training on application of article 411 for judges and prosecutors; strengthen law enforcement's capacity to respond to trafficking victims, including by providing interpretation services when needed; increase reintegration services and mental health services available to victims; increase legal representation to victims who wish to seek restitution; develop guidelines for officials to screen for trafficking indicators for children involved in illicit activities, and to ensure no potential trafficking victims are penalized for crimes committed during their trafficking situation; and make efforts to reduce the demand for commercial sex and forced labor.

PROSECUTION

The government maintained prosecution efforts. Article 411 of the penal code criminalized sex and labor trafficking, prescribing penalties ranging from five years and one day to 15 years imprisonment, plus fines ranging from $4,000 to $8,000. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Chilean officials continued to investigate and prosecute many internal child sex trafficking cases under article 367 of the penal code, which penalized promoting or facilitating child sex trafficking, but penalties for this crime ranged from three to five years imprisonment, which were significantly lower than the penalties prescribed under the anti-trafficking law. In practice, judges frequently suspended or commuted sentences of individuals convicted of human trafficking, and to a lesser extent, other serious crimes. Anti-trafficking police units opened 21 new investigations in 2017 (13 for sex trafficking and eight for labor trafficking), compared with 23 cases in 2016 (four for sex trafficking and 19 for labor trafficking). Authorities prosecuted 17 formal cases (14 under article 367 and three under article 411, compared with 109 total prosecutions in 2016 (103 under article 367 and six under article 411). The drop in formal prosecutions was largely due to the government changing their reporting methods during this reporting period. The government convicted 29 traffickers (26 under article 367 and three under article 411, two for sex trafficking and one for labor trafficking), compared with eight convictions (three under article 367 and five under article 411) in 2016. However, only 15 convicted traffickers ultimately spent time in prison; of those only five served at least one year in prison. None of the traffickers convicted under article 411 were sentenced to terms of incarceration, an inadequate penalty given the severity of the crime. Half of the traffickers convicted under article 367 received prison terms ranging from 323 days to three years, which were below the penalty prescribed by law and were inadequate given the severity of the crime. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Chilean courts denied a foreign government's request to extradite two suspected traffickers from Chile; the two suspects were convicted under article 411 and sentenced to intensive probation. The government's interagency task force on trafficking (MITP), in collaboration with the prosecutor's office, began development of a system to better monitor any potential participation of government officials in trafficking situations.

The government provided specialized training on trafficking—including training on the anti-trafficking law—to more than 300 officials in 2017, including law enforcement, prosecutors, and justice officials. The public prosecutor's office, which is independent of the executive branch, maintained an active anti-trafficking working group that provided guidelines for investigating trafficking cases and maintained a trafficking coordinator in each regional office. The human trafficking coordinator notified and coordinated new cases with specialized units at the national prosecutor's office to ensure assignment of prosecutors with trafficking experience or experience prosecuting other complex or transnational crimes. Authorities continued reporting a lack of specialized funding for trafficking efforts remained a concern; it limited access to qualified translators and interpretation services for investigations involving foreign victims and specialized legal representation for victims, particularly for those seeking restitution via civil lawsuits. The government cooperated with five foreign governments on 16 separate trafficking cases and reached agreement with Bolivia to exchange trafficking law enforcement best practices and data.

PROTECTION

The government increased victim protection efforts but identified fewer victims for the second consecutive year. MITP identified 21 trafficking victims during the year (17 women and four men, 11 for labor trafficking, and 10 for sex trafficking), compared with 23 trafficking victims in 2016 and 65 in 2015. All but one victim were foreign. The MITP's protocol on victim assistance, developed in 2016, provided assistance to all 21 victims. The services provided by government agencies included safe housing, health services, psychological services, legal assistance, employment assistance, and regularization of migratory status. Provision of victim services remained uneven across the country and NGOs reported funding was inadequate to provide necessary services, especially shelter. The National Service for Women and Gender Equality allocated 133 million

Chilean pesos ($216,530) to fund the NGO-operated shelter for women victims of trafficking, smuggled women, and their children, an increase from 92.2 million pesos ($150,110). The shelter facilitated health, immigration, and employment services. In 2017, the shelter housed 10 women (six sex trafficking, three labor trafficking, and one child victim), including four foreigners. The shelter was at full occupancy and all other victims were referred to non-specialized shelters for victims of domestic abuse. The government did not fund most NGOs that provide victim assistance. The National Service for Minors (SENAME) provided services to child sex trafficking victims through its national network of 18 NGO-operated programs—opening one additional program during the reporting period—for children, including boys, subjected to commercial sexual exploitation. SENAME assisted 1,350 children in 2017, compared with 1,341 in 2016; authorities reported 493 of those children assisted were new in 2017. SENAME increased funding to 2.95 billion Chilean pesos ($4.8 million) in 2017, compared with 2.717 billion Chilean pesos ($4.4 million) in 2016. There were no shelters for adult male victims or victims outside the capital. The Social Action Program of the Ministry of Interior had a separate fund to assist vulnerable migrants that can be used for trafficking victim services.

In 2017, MITP's interagency group published a comprehensive referral guide for all agencies involved in the group to highlight social services and programs offered for victims. Law enforcement officials lacked guidelines for dealing with potential trafficking victims detained or placed in protective custody for alleged criminal acts, such as children involved in illegal activities. Reintegration services such as education and job placement assistance were insufficient, and officials reported access to quality mental health services was expensive and limited. The government increased training efforts outside the capital and maintained robust efforts to train first responders, including health workers, public officials, and victims. Authorities provided training on victim assistance and identification to more than 450 government officials, including labor inspectors, SENAME staff, border officials, and first responders, and collaborated with an international organization on training for health workers on victim identification. The Department of Migration continued to provide no-fee visas for foreign trafficking victims and issued nine in 2017. The visa is valid for six months, renewable for up to two years if the victim reports the crime to the prosecutor's office. Foreign victims received the same victim services and methods of participation in court—such as teleconference and video testimony—as Chilean victims. The government did not report granting any victims restitution through civil or criminal cases in 2017.

PREVENTION

The government maintained prevention efforts. The Ministry of Interior continued to lead the MITP—which included government agencies, international organizations, and local NGOs—and its three sub-commissions. The government created a specific line item budget, for 102.6 million Chilean pesos ($167,040), for MITP's continued implementation of the 2015-2018 national action plan, primarily aimed at victim assistance and protection. While there was improvement in interagency cross-referencing and sharing of data, more robust coordination was needed.

A law enacted in 2016 strengthened protections for domestic workers, including by requiring registration of contracts, setting limits on weekly hours, and authorizing labor inspectors to enter employers' homes, with their permission, or to require their appearance at a labor inspection office. The government reported that no victims were identified as a result of the inspections conducted. The government conducted multiple awareness campaigns and distributed materials, including brochures, at various public venues and border crossing regions. The government monitored immigration patterns in coordination with international organizations, holding a seminar for MITP members on the relationship between international migration and vulnerability to trafficking, and collaborated with a foreign government's police officials to educate foreign immigrants within Chile on their rights and potential vulnerability to trafficking. The government did not operate an anti-trafficking hotline, but potential victims of trafficking were encouraged to use hotlines from multiple agencies within MITP. The government did not report efforts to reduce the demand for forced labor or commercial sex. Authorities provided anti-trafficking training to Chilean troops prior to their deployment abroad for international peacekeeping missions.

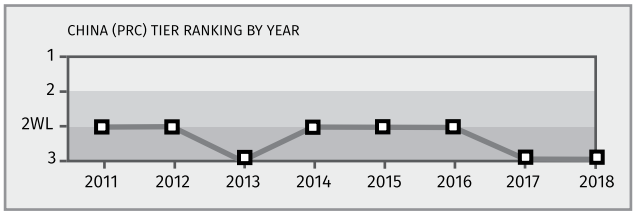
TRAFFICKING PROFILE

As reported over the past five years, Chile is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Chilean women and children are exploited in sex trafficking within the country, as are women and girls from other Latin American countries and Asia. Some traffickers may recruit children staying in child protection centers. Men, women, and children—primarily from other Latin American countries, as well as Asia—are exploited in forced labor in Chile in mining; agriculture; construction; street vending; the hospitality, restaurant, and garment sectors; and domestic service. Chinese and Haitian immigrants may be vulnerable to sex trafficking and forced labor, and Korean women are subjected to sex trafficking. Chilean authorities identified a significant number of children involved in illicit activities, including drug trafficking and theft; some of these children may have been trafficking victims. Chilean men are subjected to labor trafficking in Peru and Chilean women are subjected to sex trafficking in Argentina, as well as other countries. Brothels in small towns are often frequented by police officers, dissuading potential trafficking victims from reporting exploitation.

CHINA: TIER 3

The Government of the People's Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore China remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by cooperating with international authorities to address forced and fraudulent marriages in China—a key trafficking vulnerability for foreign women and girls; seeking criminal accountability for officials complicit in commercial sex crimes that may have included sex trafficking; and continuing trainings for officials on victim identification and assistance, in conjunction with international organizations. However, state-sponsored forced labor continued to be an area of concern. Unlike in prior years, the government did not report identifying any trafficking victims or referring them to protective services. Authorities detained women arrested on suspicion of prostitution—sometimes for months—and often forcibly returned foreign victims to their trafficking circumstances after they escaped and reported their abuses. Authorities attempted

to extradite Chinese and Taiwan individuals abroad—some of whom were reportedly victims of forced labor—and charge them as criminals.



RECOMMENDATIONS FOR CHINA

End forced labor in government facilities and by government officials outside of the penal process; vigorously investigate, prosecute, and impose prison sentences on perpetrators of forced labor and sex trafficking, including government officials who facilitate or are complicit in trafficking; update the legal framework to fully criminalize all forms of trafficking, including the facilitation of prostitution involving children younger than the age of 18; expand efforts to institute proactive, formal procedures to systematically identify trafficking victims throughout the country—including labor trafficking victims, Chinese victims returning from abroad, and victims among vulnerable groups, such as migrant workers, foreign women, and Chinese women and children arrested for prostitution—and train front-line officers on their implementation; cease penalization of victims for acts committed as a direct result of being subjected to trafficking, including by immediately screening individuals suspected of prostitution offenses for sex trafficking indicators and referring identified victims to protection services; ensure authorities do not subject trafficking victims to detention, punishment, or forcible repatriation; expand victim protection services, including comprehensive counseling and medical, reintegration, and other rehabilitative assistance for male and female victims of sex and labor trafficking; provide legal alternatives to foreign victims' removal to countries where they would face hardship or retribution, particularly North Korea; and increase the transparency of government efforts to combat trafficking and provide disaggregated data on investigations and prosecutions, victim identification, and service provision, including by continuing to share relevant data with international partners.

PROSECUTION

The government maintained insufficient law enforcement efforts. It continued to report statistics for crimes outside the definition of human trafficking according to international law, making it difficult to assess progress. Not all statistics were captured by the central government. The criminal code criminalized some forms of sex and labor trafficking. Article 240 of the criminal code criminalized "abducting and trafficking of women or children," which it defined as a series of acts (e.g., abduction, kidnapping, purchasing, selling, sending, receiving) for the purpose of selling women and children; however, it did not link these acts to a purpose of exploitation as defined in international law. A 2016 opinion from the Supreme People's Court (SPC) interpreting article 240, et seq. established that the selling and buying of persons, along with trafficking, was a banned offense "for any reason […] for whatever purpose according to the law." Crimes under article 240 were punishable by at least 10 years imprisonment. Article 241 criminalized the purchase of women or children; like article 240, it did not require that the purchase be done for the purpose of exploitation. Article 358 criminalized forced prostitution and prescribed penalties of five to 10 years imprisonment. Article 359 criminalized harboring prostitution or seducing or introducing others into prostitution, and prescribed a maximum of five years imprisonment and a fine; for the seduction of girls younger than the age of 14 into "prostitution," it prescribed a sentence of five years or more and a fine. Penalties prescribed for sex trafficking offenses under articles 240, 241, 358, and 359 were sufficiently stringent and commensurate with the penalties prescribed for other serious crimes, such as rape. Article 244 criminalized forcing a person "to work by violence, threat or restriction of personal freedom" and recruiting, transporting, or otherwise assisting in forcing others to labor, and prescribed three to 10 years imprisonment and a fine. These penalties were sufficiently stringent.

The government continued to provide some law enforcement data. However, based on China's nonstandard definition of trafficking—which may include migrant smuggling, child abduction, forced marriage, and fraudulent adoption—the exact number of investigations, prosecutions, and convictions remained unclear. Unlike last year, the Ministry of Public Security (MPS) did not report the number of investigations initiated into possible trafficking cases (1,004 in 2016), although media reports suggest authorities continued to investigate some cases. The SPC reported prosecuting and concluding 1,146 trafficking cases, culminating in 1,556 convictions (1,756 in 2016); this included 1,097 convictions for the trafficking of women and children, 420 convictions for forced prostitution, and 39 convictions for forced labor. Authorities did not disaggregate conviction data by the relevant criminal code statutes. As in prior years, the vast majority of these cases were not prosecuted under section 240 of the criminal code, and were instead tried under article 358—especially for those involving sexual exploitation. The government did not provide sentencing data, but media reports indicated imposed penalties ranged from five months imprisonment with fines of 74,000 renminbi (RMB) ($11,380) to life imprisonment. The government did not report the number of investigations, prosecutions, or convictions involving cases of children or disabled persons forced to beg or engage in other illegal activities; however, according to media reports, county- and provincial-level authorities investigated at least 24 cases of disabled persons who may have been abducted or transferred for the purpose of sexual or labor exploitation.

The government handled most cases with indicators of forced labor as administrative issues through the Ministry of Human Resources and Social Services and seldom initiated prosecutions of such cases under anti-trafficking statutes. The government engaged in law enforcement cooperation with foreign governments, investigating cases of Chinese citizens subjected to trafficking in the United States, Africa, and Europe; however, it was unclear how many of these investigations resulted in prosecutions, and in some instances—namely in Europe—Chinese authorities attempted to extradite the trafficking victims as criminals. During the reporting period, the government increased its consultative partnerships with Lao and Vietnamese law enforcement authorities to jointly address trafficking via the forced and fraudulent marriage of their citizens to Chinese individuals. Some law enforcement personnel in neighboring countries reported their Chinese counterparts were unresponsive to requests for bilateral cooperation on cross-border trafficking cases. The Supreme People's Procuratorate (SPP) and the SPC reported providing anti-trafficking training for law enforcement or judicial officials at the city and provincial levels without providing detailed information on these efforts, including whether they were held with the assistance of international organizations. In August, the vice mayor of Dongguan and a former member of the National

People's Congress were sentenced to life imprisonment for their involvement in "organizing prostitution" in 2014, but it was unclear whether the criminal acts involved trafficking offenses. Despite reports of police accepting bribes from sex traffickers, including brothel owners, the government did not report any additional investigations of government employees complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. Unlike last year, the government did not report how many victims it identified during the reporting period, nor did it provide agency-specific data, although media reports indicated authorities continued to remove some victims from their exploitative situations. The government reported maintaining at least 10 shelters specifically dedicated to care for trafficking victims, as well as eight shelters for foreign trafficking victims and more than 2,300 multi-purpose shelters nationwide that could accommodate trafficking victims. Victims were entitled to shelter, medical care, counseling, social services, and—in some cases—rehabilitation services, all made available through the Ministry of Civil Affairs, a nationwide women's organization, and grassroots NGOs. Access to specialized care depended heavily on victims' location and gender, and the extent to which victims benefited from these services was unknown. The efficacy of the government's previously reported victim assistance—including its eight border liaison offices with Burma, Vietnam, and Laos, victim funds, hotlines, and government-to-government agreements to assist victims—remained unclear. Foreign embassies in China reportedly provided shelter or other protective services to victims.

In conjunction with an international organization, authorities sponsored and participated in trainings on victim identification and assistance for consular officials and law enforcement, regulation of marriage migration, and interagency implementation of the national referral mechanism. MPS promulgated written instructions to law enforcement officers throughout the country with the aim of clarifying procedures for identifying victims among individuals in prostitution and those who may be subjected to exploitation via forced or fraudulent marriage. MPS officials reportedly maintained a procedure to screen for trafficking indicators among individuals arrested for alleged prostitution offenses. A 2016 policy limiting the detention of such individuals to 72 hours remained in place. Despite the existence of these procedures, and contrary to the aforementioned policy, law enforcement officials continued to arrest and detain foreign women on suspicion of prostitution crimes without screening them for indicators of sexual exploitation—sometimes for as long as four months—before deporting them for immigration violations. In some cases involving the sex and labor exploitation of Burmese women and girls via forced and fraudulent marriage to Chinese men, rural border officials—particularly in Yunnan—received victims' complaints, provided them with temporary shelter, and helped to fund and escort their return to Burma. However, observers noted this assistance was ad hoc, and even less prevalent among front-line officers working farther inland, where some foreign victims escaped, reported these abusive circumstances to the authorities, and were summarily arrested and forcibly returned to their Chinese "husbands." Because the national referral mechanism was not universally implemented across law enforcement efforts, it was likely that unidentified Chinese trafficking victims were also detained following arrest for unlawful acts committed as a direct result of having been subjected to trafficking.

Victims were legally entitled to request criminal prosecution and claim financial restitution through civil lawsuits against their traffickers; the government did not report whether any victims benefited from this provision. The judicial system did not require victims to testify against their traffickers in court and allowed prosecutors to submit previously recorded statements as evidence. Authorities reported repatriating a number of victims in 2017 but did not provide further information, including whether they were Chinese or foreign. The government cooperated with law enforcement agencies in European countries to shutter large-scale telephone fraud operations involving dozens of Chinese and Taiwan individuals. European authorities deemed most of the apprehended suspects in several of these cases to be victims of forced criminality and referred them to protective custody. However, PRC authorities attempted on multiple occasions to formally extradite these individuals and charge them as criminals, raising further concerns on China's screening and identification measures. The government did not provide suspected North Korean trafficking victims with legal alternatives to repatriation. Authorities continued to detain North Korean asylum-seekers and forcibly returned some to North Korea, where they faced severe punishment or death, including in North Korean forced labor camps; it was unclear whether the government screened these individuals for indicators of trafficking. In compliance with a UN Security Council Resolution, the government reportedly repatriated some North Korean labor migrants; they were not screened for trafficking indicators or offered options to legally remain in the country.

PREVENTION

The government maintained efforts to prevent trafficking. It funded a television show, used traditional and social media, and distributed posters and other materials at transportation and community centers to increase general understanding of the issue, including among vulnerable rural communities. Authorities held a third annual inter-ministerial meeting to coordinate anti-trafficking efforts. MPS continued to coordinate the anti-trafficking interagency process and lead interagency efforts to implement the National Action Plan on Combatting Human Trafficking. The government did not report the extent to which it funded anti-trafficking activities in furtherance of the action plan (more than 55 million RMB ($8.5 million) in 2016). MPS reportedly sent 350,000 police officers to public schools to educate children about the risks of exploitation. Academics and experts noted the gender imbalance created by the previous One-Child Policy likely continued to contribute to trafficking crimes in China. Provincial government efforts in 2016 to "legitimize" unregistered marriages between foreign women and Chinese men—a trend that was often permissive or generative of trafficking—were ongoing at the end of the reporting period. The government reportedly began a series of pilot programs to enable Cambodian and Vietnamese citizens to enter legally into southern China for work in hopes of stemming illicit labor migration through especially porous sections of the border; the extent to which this mitigated trafficking vulnerabilities—or to which it was implemented—was unknown.

The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants by limiting employment opportunities and reducing access to social services, particularly for Chinese victims returning from exploitation broad. The government continued to address some of these vulnerabilities by requiring local governments to provide a mechanism for migrant workers to obtain residency

permits. Authorities also commissioned several studies to develop mechanisms for the protection of children whose parents migrated internally for work, leaving them unsupervised and at elevated risk of exploitation; no further details on this initiative were available. The government reported efforts to reduce forced labor by including language in written agreements with foreign businesses and countries explicitly prohibiting trafficking. It attempted to reduce the demand for commercial sex through its ongoing crackdown on corruption and high profile arrests of men soliciting or procuring prostitution. The government did not report investigating or prosecuting any Chinese citizens for child sex tourism, despite widespread reports of the crime. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions and to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, China is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. China's internal migrant population, estimated to exceed 180 million people, is vulnerable to trafficking, with Chinese men, women, and children subjected to forced labor in brick kilns, coal mines, and factories, some of which operate illegally and take advantage of lax government enforcement. While the law prohibits employers from withholding property from an employee as a security deposit, previous reports indicate such practices continue, thereby making certain workers vulnerable to forced labor. African and Asian men are exploited on Chinese maritime vessels, working under conditions indicative of forced labor. Forced begging by adults and children occurs throughout China. Traffickers target persons with developmental disabilities and children whose parents have left them with relatives to migrate to the cities—estimated at more than 60 million—and subject them to forced labor and forced begging.

State-sponsored forced labor continued to be an area of concern in China. In 2013, the National People's Congress ratified a decision to abolish "Re-education through labor" (RTL), a punitive system in which individuals were subjected to extra-judicial detention involving forced labor, from which the government reportedly profited. The government closed most RTL facilities by October 2015; however, the government reportedly converted some RTL facilities into state-sponsored drug rehabilitation facilities or administrative detention centers where, according to unverified reports, forced labor continues. Religious and political activists held in legal education facilities have previously reported forced labor occurring in pretrial detention and outside of penal sentences. Despite an official policy promulgated in 2016 limiting the maximum time women could be detained for prostitution offenses to 72 hours, officials continue to detain Chinese and foreign women on prostitution charges for months at a time without screening for sex trafficking. Officials detain foreign women fleeing abuse, to include sex and labor trafficking, experienced in relation to their forced or fraudulent marriages to Chinese men; many of these women remain in detention for months before authorities repatriate them—or in some cases return them to their abusive circumstances. Some of these women are held without due process in "custody and education" centers, where they are subjected to forced labor. In February 2017, local authorities in Xinjiang issued a notice that rural obligatory labor had been completely abolished throughout the province; however, amid tight government control over the flow of information out of Xinjiang, the extent to which this ban was implemented remained unclear. Although there were no confirmed reports of forced labor in Xinjiang during the reporting year, human rights organizations previously expressed concerns about forced labor under the "hashar" system of compulsory agricultural labor and under the auspices of the Xinjiang Production and Construction Corps—an economic and paramilitary organization with administrative control over several cities in the province. According to some reports, the Chinese government has also detained tens of thousands—and possibly hundreds of thousands—of Uighurs and sent them to special facilities for the purpose of "political reeducation." The families of these detainees may be at elevated risk of exploitation in their absence. The impact of formal discriminatory employment policies barring Uighurs from jobs in many sectors may also place them at higher risk of exploitation. Implementation of a law placing foreign NGOs in mainland China under MPS supervision continued to impose burdensome requirements and restrictions on the activities of civil society organizations—including those able to provide services for trafficking victims and communities vulnerable to the crime. International media and the ILO report children in some work-study programs supported by local governments and schools are forced to work in factories.

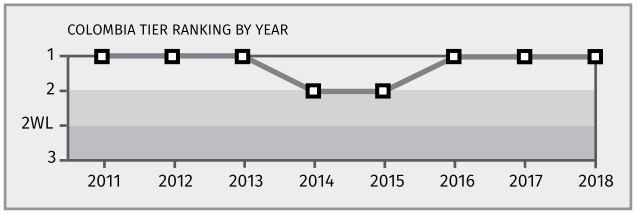
Chinese women and girls are subjected to sex trafficking within China. Traffickers typically recruit them from rural areas and take them to urban centers, using a combination of fraudulent job offers and coercion by imposing large travel fees, confiscating passports, confining victims, or physically and financially threatening victims to compel their engagement in commercial sex. Well-organized criminal syndicates and local gangs play key roles in the trafficking of Chinese women and girls in China, recruiting victims with fraudulent employment opportunities and subsequently forcing them into commercial sex. Illicit brokers increasingly facilitate the forced and fraudulent marriage of South Asian, Southeast Asian, and African women and girls to Chinese men for fees of up $30,000. The men—sometimes in partnership with their parents—often incur large debts to cover these fees, which they attempt to recover by subjecting the "brides" to forced labor or prostitution. Some Chinese men are reportedly circumventing this brokerage system by traveling to Southeast Asian capitals and entering into legal marriages with local women and girls, then returning to China and subjecting them to forced prostitution. There are also reports of Chinese men and their parents deceiving Southeast Asian women and girls into fraudulent marriages in China, then confining them in forced concubinism for the purpose of pregnancy.

Chinese men, women, and children are subjected to forced labor and sex trafficking in at least 57 other countries. Chinese men, women, and girls are forced to labor in restaurants, shops, agriculture, and factories in overseas Chinese communities. Some are promised jobs abroad and confined to private homes upon arrival overseas, held in conditions indicative of forced labor, and compelled to conduct telephone scams. Chinese men in Africa and South America experience abuse at construction sites, in coal and copper mines, and in other extractive industries, where they face conditions indicative of forced labor, such as non-payment of wages, restrictions on movement, withholding of passports, and physical abuse. Congolese men and boys experience conditions indicative of forced labor in Chinese-owned mining operations in the Democratic Republic of the Congo. Chinese women and girls are subjected to sexual exploitation throughout the world, including in major cities, construction sites, remote mining and logging camps, and areas with high concentrations of Chinese migrant workers. Chinese men reportedly engage in child sex tourism in Cambodia.

Women and children from neighboring Asian countries, Africa, and the Americas are subjected to forced labor and sex trafficking in China. North Korean women are subjected to forced prostitution, forced marriage, and forced labor in agriculture, domestic service, and factories. According to media and a 2015 UN report, North Korean citizens are subjected to forced labor in China by the North Korean government, possibly with the knowledge of Chinese officials. African and South American women are promised legitimate jobs in China and forced into prostitution upon arrival. The Chinese government's birth limitation policy and a cultural preference for sons created a skewed sex ratio of 117 boys to 100 girls in China, which observers assert increases the demand for prostitution and for foreign women as brides for Chinese men—both of which may be procured by force or coercion. Women and girls are kidnapped or recruited through marriage brokers and transported to China, where some are subjected to commercial sex or forced labor.

COLOMBIA: TIER 1

The Government of Colombia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Colombia remained on Tier 1. The government demonstrated serious and sustained efforts by reintegrating more than 140 former child combatants, proactively identifying more trafficking victims, funding the implementation of its national anti-trafficking strategy, and piloting a new trafficking information system to collect statistical data across government agencies. Although the government meets the minimum standards, it did not adequately fund or coordinate services to victims and struggled to screen and provide services to potential victims among the influx of Venezuelan migrants.



RECOMMENDATIONS FOR COLOMBIA

In partnership with civil society and through dedicated funding from national and local governments, increase specialized services and shelter available to all trafficking victims; improve efforts to screen and protect potential trafficking victims among incoming Venezuelan migrants, and provide them with adequate services; vigorously prosecute and convict trafficking crimes, including forced labor; improve access to long-term care for trafficking victims; vigorously investigate, prosecute, and convict members of illegal armed groups or organized crime groups involved in forced child recruitment or forced criminal activity; increase efforts to identify child victims exploited in sex trafficking, forced begging, and within informal sector activities, such as street vending; increase efforts to hold criminally accountable public officials complicit in trafficking; and improve data collection and disaggregation, such as by fully implementing the national trafficking information system.

PROSECUTION

The government maintained law enforcement efforts. Article 188 A of Law 985 of the penal code criminalized of sex and labor trafficking and prescribed punishments of 13 to 23 years imprisonment plus fines up to 1,500 times the monthly minimum salary. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not disaggregate statistics for trafficking and trafficking-related offenses, likely incorporating cases that were not trafficking. Authorities sometimes charged traffickers with lesser crimes, such as induction into prostitution or pimping. In 2017, the attorney general's office opened 164 cases (150 in 2016 and 135 in 2015), of which 73 cases yielded full investigations. Police arrested 30 suspects for trafficking or trafficking-related crimes (29 in 2016 and 40 in 2015). Authorities prosecuted 31 suspects for trafficking crimes (59 in 2016 and 31 in 2015) and convicted 21 of trafficking and trafficking-related crimes (25 in 2016 and 31 in 2015). The attorney general's office reported investigating 1,872 trafficking-related crimes tied to illegal armed groups in 2017. Although Colombian law prohibited forced child recruitment and forced criminal activity by illegal armed groups, such crimes are not considered to be human trafficking. In 2017, the attorney general's office investigated 428 cases of forcible use of children in the commission of criminal activities and 344 cases of forcible recruitment. Following 2016 allegations of a trafficking ring involving police cadets sold into prostitution, authorities convicted a retired colonel and a retired police major on charges of inciting prostitution during the reporting period.

Authorities collaborated with foreign governments and international organizations on anti-trafficking law enforcement operations. Often through partnerships with international organizations and foreign donors, the government provided training to more than 414 prosecutors, investigators, labor inspectors, family advocates, and other officials during the reporting period. In September 2017, the government hosted the third meeting of the Ibero-American Network of Prosecutors on Trafficking in Persons and Smuggling of Migrants in Cartagena to enhance regional cooperation investigating and prosecuting trafficking cases.

PROTECTION

The government increased protection efforts. The Ministry of Interior (MOI) reported authorities identified 96 trafficking victims (68 in 2016 and 67 in 2015). Of these, 69 were exploited in sex trafficking, 12 in forced labor, two in forced begging, and 13 were unknown. The Colombian Family Welfare Institute (ICBF) identified seven girls exploited in trafficking in 2017 (39 girls and seven boys in 2016). International organization and media sources reported the government struggled to identify and provide services to potential trafficking victims among Venezuelan migrants due to financial and personnel constraints. Authorities and an international organization identified at least 140 children who separated from illegal armed groups in 2017 (167 in 2016 and 229 in 2015); all received medical and psychological evaluations from an international organization and reintegration services from the ICBF.

Presidential decree 1069 of 2014, which clarified the implementation of Law 985, mandated the government to provide emergency trafficking victim assistance, which includes medical and psychological services, clothing and hygiene kits, housing, transportation, legal advice, issuance of travel and identity documents, and repatriation, and medium-

term assistance, such as educational services, job training and job search assistance, and economic support. Emergency assistance was provided for five days and could be extended for an additional three days as needed; medium-term assistance was provided for up to six months and could be extended for an additional three months. Of the 96 identified victims, the government provided 37 victims with emergency assistance and 59 with medium-term assistance in 2017 (compared to providing 63 with emergency assistance and 37 with medium-term assistance in 2016). The government provided repatriation assistance to 35 victims. Seven child victims identified by the ICBF received services. The government did not operate specialized shelters dedicated to adult trafficking victims, but it referred victims to NGOs for these services. The ICBF provided shelters for child trafficking victims and led a working group with the MOI to coordinate service provision for child trafficking victims. Shelter and services for male victims were very limited. NGOs asserted Afro-Colombian, indigenous, LGBTI, and disabled persons received insufficient attention, but the government reported maintaining a shelter for LGBTI victims of violence, an indigenous training center, and policies to assist disabled victims. Following a 2016 constitutional court decision, victims were not required to file an official complaint against their traffickers in order to receive assistance. The Interagency Committee for the Fight against Trafficking in Persons (ICFTP), which coordinated the efforts of 16 national entities, created formal instructions for each agency in the committee regarding reporting standardization, identification of victims, and provision of rapid assistance. NGOs acknowledged improved coordination, but criticized delays in service delivery, lack of long-term victim assistance, lack of attention to vulnerable populations, and lack of systematic verification of quality of care. NGOs indicated the absence of formal procedures for engagement with civil society resulted in uncoordinated and limited engagement by the government. During the reporting period, Colombian consulates in Lima, Peru; Guayaquil, Ecuador; and Mexico City, Mexico assisted Colombian victims abroad.

In 2017, the government appropriated 2.3 billion pesos ($771,350) to assist internal trafficking victims through the MOI and ICFTP, and earmarked 222.8 million pesos ($74,720) to assist Colombian trafficking victims abroad, the same amounts as in 2016. Authorities lacked sufficient funding and personnel to provide specialized services to trafficking victims. Decree 1069 of 2014 makes local governments responsible for providing services beyond emergency care, but most had no funding dedicated to providing specialized services.

During the reporting period, the government assisted one trafficking victim and one witness through the victim and witness protection program. Some victims were reluctant to report their exploitation or testify against their traffickers due to fear of reprisals or lack of trust in the justice system. There were no reports that victims were penalized for unlawful acts committed as a direct result of being subjected to trafficking. Authorities could provide foreign trafficking victims with temporary permission to remain in the country during the investigative process on a case-by-case basis; however, authorities did not report doing so during the reporting period. Trafficking victims were entitled to request restitution or file civil suits at any time under articles 102 and 103 of the criminal procedure code; however, there were no reported victims who received restitution. The department government of Guaviare allocated 215 million pesos ($72,100) for its restitution program in 2017.

PREVENTION

The government increased prevention efforts. The ICFTP conducted 45 technical advisory meetings with departmental, municipal, and district committees during the reporting period to improve coordination between the ICFTP and regional committees, review functions and responsibilities at various levels, and make recommendations for the preparation of territorial action plans. In 2017, the government appropriated almost 2.3 billion pesos ($771,350) to implement the 2016-2018 national anti-trafficking strategy. The absence of a national trafficking information system hindered monitoring and evaluation of efforts; however, the government piloted an information system with various agencies in 2017. Authorities maintained an interagency commission for the prevention of child recruitment by armed groups and child sexual exploitation. The ICBF, with the support of an international organization, met with 17 departmental authorities to develop and implement awareness and prevention activities. Colombia's 24-hour anti-trafficking hotline received 889 calls. Through the hotline, the government provided advice on job offers abroad, including corroborating the veracity and legality of employers. The government did not report efforts to reduce the demand for forced labor. Authorities conducted investigations for child sex tourism and reported the arrest of one person for this crime.

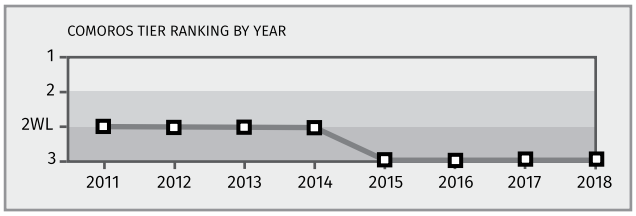
TRAFFICKING PROFILE

As reported over the past five years, Colombia is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor in Colombia and throughout Latin America, Asia, and Europe. Groups at high risk for trafficking include internally displaced persons, Afro-Colombians, Colombians with disabilities, indigenous persons, and Colombians living in areas where armed criminal groups are active. Sex trafficking of Colombian women and children occurs within the country and around the world. Colombian children are exploited in sex trafficking in areas with tourism and large extractive industries. Transgender Colombians and Colombian men in prostitution are vulnerable to sex trafficking within Colombia and in Europe. Colombian labor trafficking victims are found in mining, agriculture, and domestic service. Colombian children working in the informal sector, including as street vendors, are vulnerable to labor trafficking. Colombian children and adults are exploited in forced begging in urban areas. Illegal armed groups forcibly recruit children to serve as combatants and informants, harvest illicit crops, and to exploit them in sex trafficking. Children and adolescents who separate from the ranks of illegal armed groups are vulnerable to trafficking. Venezuelan migrants, whose numbers rose during the reporting period (as of February 2018, the government estimated at least 600,000 Venezuelans were residing in Colombia), are particularly vulnerable to trafficking.

COMOROS: TIER 3

The Government of Comoros does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Comoros remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking by funding the salaries of new personnel at a listening center that provided assistance to victims and by adding a second emergency hotline to ensure crimes from all three islands could be reported. However, the government did not investigate, prosecute, or obtain convictions

for any sex trafficking or forced labor crimes, including those committed by complicit officials. Since 2014, it did not identify or refer any trafficking victims to protective services, and lacked formal procedures to do so. Authorities continued to lack an understanding of trafficking, and the government did not provide adequate resources or training to law enforcement officials, including the office charged with investigating child abuse and exploitation. The extensive use of mediation and financial settlements in lieu of investigation and prosecution of crimes resulted in the return of children to their alleged exploiters. The Anti-trafficking Task Force, which became operational in 2016, made no discernable efforts during the reporting period.



RECOMMENDATIONS FOR COMOROS

Significantly increase efforts to investigate, prosecute, and convict traffickers, including complicit officials; drastically improve the identification of victims and the provision of protective services to trafficking victims, including providing appropriate care to victims nationwide and developing formal procedures to do so; end the practice of returning trafficking victims to their exploiters through arbitration; enact comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape; undertake efforts to engage French officials to prevent the trafficking of unaccompanied Comorian youth in Mayotte; expand anti-trafficking public awareness campaigns; increase effectiveness of the coordination committee to drive national anti-trafficking efforts; develop national level data collection on law enforcement efforts and trafficking victims; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not make anti-trafficking law enforcement efforts. Comorian law did not criminalize all forms of human trafficking. The labor code prohibited forced and bonded labor for adults, but did not prescribe penalties for these crimes, which was not sufficiently stringent. Article 323 of the penal code criminalized the facilitation of child sex trafficking and forced prostitution of adults and prescribed punishments of two to five years imprisonment and a fine between 150,000 and 2 million Comoros francs ($360 and $4,870), which were sufficiently stringent, however, the penalties prescribed for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. The Law Countering Child Labor and Trafficking in Children (child labor law), effective January 2015, criminalized slavery or similar practices, such as the sale and trafficking of children, bonded labor, and debt bondage—as well as forced or compulsory labor—including the forced or compulsory recruitment of children for use in armed conflicts in Article 6 and prescribed sufficiently stringent penalties of five months to 10 years imprisonment and a fine of 100,000 to 5 million francs ($240 to $12,170). Article 8 in the child labor law criminalized child sexual exploitation and prescribed penalties of five to 10 years imprisonment and a fine of 1 million to 2 million francs ($2,430 to $4,870). Article 13 of the child labor law criminalized child trafficking and prescribed penalties of ten years imprisonment and a fine of 30 million francs ($72,990). The penalties for Articles 8 and 13 were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. There appeared to be an overlap between provisions of the child labor law, the labor code and the penal code that could add to the challenge of prosecuting traffickers in Comoros. Despite parliamentary approval in 2014, the president did not sign into law the penal code amendments that would specifically prohibit trafficking in persons.

The government did not systematically collect data on law enforcement efforts, including human trafficking. The government did not report investigating, prosecuting, or convicting any traffickers during either of the last two reporting periods despite reports that one listening center recorded many cases that may have amounted to trafficking.. The government has not reported investigating a trafficker since 2014 and has never reported convicting a trafficker. The government also did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking offenses. Corruption and official complicity at all levels of government, law enforcement, and the judiciary remained significant concerns, inhibiting law enforcement action during the year. Judges were known to have negotiated agreements between a child's parents and his or her trafficker, often returning the child to trafficking situations. Families or village elders settled many allegations of sexual violence, including sex trafficking, informally through traditional means, without recourse to the formal court system. Some police reportedly returned sexually abused children to their exploiters. The police lacked basic resources, including vehicles, fuel, and equipment, and often relied on victims to provide funds for transport or communication. The government did not provide training for law enforcement officials on how to recognize, investigate, and prosecute trafficking and related crimes. The Ministry of Labor's four labor inspectors—responsible, among other things, for implementing the 2015 child labor law prohibiting child trafficking—did not receive training on the trafficking law and did not receive operational resources to conduct labor inspections of informal work sites, where children were especially vulnerable to forced labor. Inspectors did not remove or assist any children as a result of labor inspections during the reporting period.

PROTECTION

The government maintained minimal protection efforts. The government did not provide direct assistance or services for victims but provided financial support and office space to the listening centers, alongside support from an international organization; the listening centers, one located on each of the three islands, offers services to abused and neglected women and children. There were no government shelters for adults or child victims of abuse or human trafficking. The government continued to provide the salaries for the employees of the listening centers; in 2017, the number of employees on Grande Comore increased from two to six, while Anjouan maintained three employees and Moheli maintained one employee. The listening center on Grande Comore reported providing medical care for 133 women and children and provided 23 women and three children with psychological care; the listening center recorded these persons as victims of abuse, but because of inadequate trafficking training, some of these victims may have been trafficking victims. In the absence of adequate funding, listening center staff sometimes provided temporary shelter in their private homes; however, government officials often

returned children to their parents or guardians. The government did not develop or employ systematic procedures to identify trafficking victims or refer them to the limited care available. There were no reports of the government penalizing victims for crimes committed as a direct result of being subjected to trafficking; however, as there were no standard procedures or proactive screenings, victims may have remained unidentified in the law enforcement and immigration systems.

PREVENTION

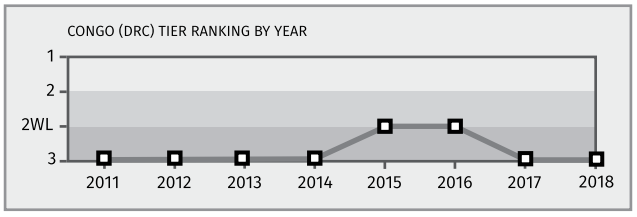
The government decreased efforts to prevent trafficking. The interagency Anti-trafficking Task Force, operationalized in 2016, was comprised of representatives of relevant government agencies, the listening centers, and international organizations; however, it made no discernable efforts during the year and did not adopt the draft national action plan it began drafting last reporting period. The government did not coordinate any public awareness campaigns during the reporting period. The government continued to fund toll-free emergency lines, adding a second line to increase accessibility in 2017. The emergency lines were used to report victims of child abuse and exploitation; however, the government did not report any further information on the use of these hotlines during the year. In 2016, the labor ministry signed an agreement with several labor recruitment agencies to facilitate review of the transnational recruitment processes and to monitor advertisements in an effort to identify recruitment activities that might endanger Comorians seeking overseas employment; however, no efforts were made to regulate labor recruitment agencies in 2017. In 2016, the Ministry of Health adopted a National Policy for the Protection of Children in Comoros, which included actions to combat child labor and child trafficking; however, no discernable actions have been taken since its adoption. The government did not make efforts to reduce demand for commercial sex acts. Comoros is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Comoros is a transit country for women and children and a source country for children subjected to forced labor within the country. Comorian women and Malagasy women who transit Comoros may be subjected to forced labor in the Middle East. Unsubstantiated media reports alleged that children from Madagascar who travel to Comoros are exploited in prostitution with foreign men working on road construction projects. Comorian women and children are subjected to forced labor in Mayotte. Children on Anjouan, some of whom were abandoned by parents who left to seek economic opportunities in other countries, are subjected to forced labor, mostly in domestic service, roadside and market vending, baking, fishing, and agriculture. On Anjouan and Moheli, poor rural families frequently place children with wealthier relatives or acquaintances in urban areas or on Grande Comore for access to schooling and other benefits; some of these children are subjected to domestic servitude and physical and sexual abuse. Most Comorian children aged 3 to 7 (and some up to age 14) study at informal neighborhood Koranic schools headed by private instructors, where some are exploited as field hands or domestic servants as payment for instruction and subjected to physical and sexual abuse. The estimated 3,000-4,000 unaccompanied Comorian children on Mayotte are especially vulnerable to domestic servitude and sex trafficking. Comorians may be particularly vulnerable to transnational trafficking due to a lack of adequate border controls, corruption within the administration, and the existence of international criminal networks involved in migrant smuggling.

CONGO, DEMOCRATIC REPUBLIC OF THE: TIER 3

The Government of the Democratic Republic of the Congo (DRC) does not fully meet the minimum standards for the elimination of trafficking and is not making sufficient efforts to do so; therefore DRC remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including repatriating several trafficking victims and coordinating with an international organization on centralizing data collection. The government also continued efforts to combat sexual exploitation and certify mines to prevent the use of forced and child labor. The government also continued to undertake measures to prevent and end the use of child soldiers, including separating child soldiers from armed groups, and occasionally provided modest protection services to these victims. However, the Congolese National Army (FARDC) executed unarmed children suspected of belonging to the Kamuina Nsapu armed group and supported and collaborated with various proxy militias that recruited and used children. Authorities continued to arrest and detain some victims, including child soldiers. The government did not establish a formal anti-trafficking inter-ministerial committee, adopt comprehensive legislation criminalizing all forms of trafficking, or adequately hold accountable complicit officials. The government made negligible efforts to investigate, prosecute, or convict offenders of sex trafficking, as distinct from other sexual crimes, or labor trafficking. Lack of an anti-trafficking framework, capacity, funding, and widespread corruption continued to hinder efforts to combat all forms of human trafficking throughout the country.



RECOMMENDATIONS FOR THE DEMOCRATIC REPUBLIC OF THE CONGO

Continue measures to end the unlawful recruitment and use of child soldiers by the FARDC and other armed groups, and continue to cooperate with international organizations and NGOs to identify, remove, demobilize, and refer all children associated with armed groups to appropriate care; develop legislation to comprehensively address all forms of trafficking, consistent with international law; cease collaboration with armed groups recruiting and using children; in partnership with civil society, take concrete steps to provide comprehensive protection services to victims of all forms of trafficking, and ensure trafficking victims, including child soldiers or suspected child soldiers, are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; create an inter-ministerial anti-trafficking committee and adopt an anti-trafficking national action plan; use existing legislation to investigate, prosecute, convict, and adequately sentence traffickers, and continue to investigate and prosecute government officials complicit in the unlawful recruitment and use of child soldiers; provide training and develop procedures for front-line officials to proactively identify trafficking victims among vulnerable groups, including women and children in

prostitution, street children, and men, women, and children in artisanal mining, and to refer victims to NGO-run protection services; develop procedures for collecting and reporting data on cases of sex trafficking as distinct from other sexual violence crimes; and raise awareness about human trafficking among the general public.

PROSECUTION

The government maintained law enforcement efforts. Congolese law criminalized all forms of sex trafficking and some forms of labor trafficking. However, the lack of a comprehensive anti-trafficking legal framework continued to contribute to officials' lack of understanding of trafficking and their conflation of it with other crimes, such as illegal international adoption. The government did not criminalize adult forced labor under Congolese law, although the Constitution prohibited involuntary servitude. The government also did not criminalize fraudulent labor recruitment under Congolese law. The 2006 Sexual Violence Law 06/018 criminalized sexual slavery and prescribed penalties ranging from five to 20 years imprisonment as well as a fine of 200,000 Congolese francs ($130). The 2006 law also criminalized child sex trafficking and forced prostitution of adults, and prescribed penalties ranging between 10 to 20 years imprisonment and three months to five years imprisonment, respectively. These penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Articles 182 and 183 of the 2009 Child Protection Law 09/001 also criminalized the prostitution of children and child sexual slavery and prescribed penalties of five to 20 years and 10 to 20 years with a fine between 8,000 and 1 million Congolese Francs ($5 and $630), respectively; these penalties were sufficiently stringent and commensurate with other serious crimes, such as rape. Article 187 criminalized child labor, including forced child labor, and prescribed penalties of one to three years imprisonment and fine between 100,000 and 200,000 Congolese francs ($63 to $130); these penalties were not sufficiently stringent. The enlistment of persons under 18 years old into the armed forces and the police carried penalties of 10 to 20 years imprisonment.

The government did not make vigorous law enforcement efforts directly targeting sex or labor trafficking offenses. The government did not report comprehensive data on investigations, prosecutions, and convictions as there is no centralized database for trafficking information; however, in response to a regional initiative by the Southern African Development Community (SADC), the Ministry of Interior worked with immigration authorities and INTERPOL to standardize its data collection statistics with other SADC countries. The government reportedly prosecuted 547 cases of sexual violence in military court in 2017, this compares to 496 prosecutions in 2016; however, unlike in previous years, the government did not report if the cases involved sex trafficking, how many of all cases resulted in convictions, what penalties were applied, or the number of prosecutions and convictions in civil court. An NGO reported that during the reporting period the government initiated the investigation of seven cases for forced labor, two cases for forced prostitution, and four cases for both. An NGO also reported that in 2017 the government convicted two traffickers for forced prostitution and four traffickers for both forced labor and sex trafficking; in addition to fines, all convicted traffickers received penalties between 22 months and 15 years imprisonment. The government did not make adequate efforts to hold accountable complicit officials, and corruption remained a significant concern, inhibiting law enforcement during the reporting period. For example, the government had yet to initiate prosecution for former FARDC officials charged in 2014 and 2015 for suspected child soldier recruitment; the government was also complicit in harboring an escaped convict and member of an armed group that recruited child soldiers, and refused to return him to prison. The government provided limited training to some police and military personnel on preventing child soldiering, protecting human rights, and preventing sexual violence, but it did not provide training to officials on all forms of human trafficking.

PROTECTION

The government maintained protection efforts for trafficking victims. The government continued efforts to identify and refer child soldiers to international organizations for assistance. However, the government did not make appreciable efforts to identify victims of sex and labor trafficking among other vulnerable groups, such as street children, women and children in prostitution, and men, women, and children in artisanal mining, even though the scale of these problems was significant. As part of its national Disarmament, Demobilization, and Reintegration (DDR) Plan, the government continued to cooperate with an international organization and NGOs to identify and remove child soldiers from illegal armed groups operating in eastern DRC. The government worked with an international organization to identify and separate at least 2,360 children from armed groups in 2017, a significant increase from the prior year. Procedures were in place for referring the victims for specialized care, which most but not all of the children received. The government-funded the repatriation of seven Congolese trafficking victims from Kuwait and facilitated, but did not fund, the repatriation of 19 persons vulnerable to trafficking from Libya; however, the government did provide the victims from Libya with temporary shelter and food for one month. In the previous reporting period, the government of Uganda reported that eight Ugandan children were separated from the Allied Democratic Front armed group in the DRC; six of the children were repatriated by an international organization during this reporting period and two remained in host families in DRC.

The government did not have national standard operating procedures to systematically identify and refer all trafficking victims to appropriate care; however, some NGOs reported that during the reporting period police, the Ministry of Social Affairs, and the General Directorate of Migration (DGM) identified and referred an unknown number of potential trafficking victims to NGOs for care on an ad hoc basis. The government did not provide specialized services and care to trafficking victims as distinct from other vulnerable groups. The government reportedly offered housing for up to three months and family reunification for street children and children separated from armed groups, and that it provided support for socio-economic integration for victims of sexual violence, some of whom may have included trafficking victims. However, the government did not report providing any of these services to trafficking victims during the reporting period. The government relied heavily on NGOs to provide the vast majority of services to trafficking victims. Several NGOs provided services to survivors of sexual violence, including trafficking victims, as well as children separated from armed groups; services included access to medical and psychological services, legal assistance, and reintegration services including literacy and vocational training.

Trafficking victims could file cases against their traffickers in civil courts, though few victims pursued this avenue due to a lack of trust in the judicial system. The government generally allowed for the safe repatriation of foreign child soldiers in

cooperation with an international organization. Despite these efforts, some trafficking victims, including child soldiers or suspected soldiers, continued to be subject to detention or punishment for unlawful acts committed as a direct result of being subjected to human trafficking. For example, in 2017, the FARDC and Congolese National Police arrested 302 children because of their alleged association with armed groups; officials released these children after periods ranging from one day to one year. However, some children remained in detention centers at the end of the reporting period. The FARDC executed unarmed children who were suspected of belonging to the Kamuina Nsapu armed group, and the FARDC supported and collaborated with proxy militias that recruited and used children.

PREVENTION

The government made uneven efforts to prevent trafficking. The government continued efforts to prevent the recruitment and use of children into the FARDC, sexual exploitation, and forced labor in mining, but it did not make tangible efforts to prevent other forms of trafficking. The government remained without a national action plan to combat trafficking and a formal anti-trafficking inter-ministerial committee. However, for the first time, representatives from the Ministries of Justice, Interior, Gender, and the Diaspora as well as law enforcement and the judiciary, participated in three meetings of an unofficial anti-trafficking working group with local NGOs, lawyers, international organizations, and members of the diplomatic corps. The unofficial working group discussed strategies to establish an official inter-ministerial anti-trafficking committee and draft comprehensive anti-trafficking legislation.

In collaboration with an international organization, the government's Joint Technical Working Group (JTWG) for implementing the UN National Action Plan to end child recruitment—which comprised government ministries, NGOs, and international organizations—continued to implement a national action plan to end the recruitment and use of child soldiers and remove them from armed groups. The working group met monthly throughout the reporting period, and with collaboration from an international organization, developed a 2018 roadmap for ending child recruitment, helped train 1,240 law enforcement officials on the action plan to end child recruitment, held seven workshops on age verification, and established a new JTWG in the Kasai province. There were no confirmed cases of child soldier recruitment by the FARDC for the third consecutive year. In partnership with NGOs, the government screened more than 800 new FARDC recruits to verify their ages; through the screening process, the government prevented more than 85 children from joining the FARDC in 2017. However, there were multiple reports of the FARDC's broad collaboration with proxy militias that recruit and use children. There are currently no measures to address the termination of these proxy relationships within the national action plan to end the recruitment and use of child soldiers.

The government did not initiate anti-trafficking public awareness campaigns during the reporting period. The government continued the operation of a hotline to report crimes, but the government did not report whether it received any calls on trafficking. The government did not make efforts to reduce the demand for commercial sex acts. The government continued to make efforts to reduce the demand for forced labor in artisanal mining, but did not do so in other sectors. In 2017, the government continued its efforts in cooperation with an international organization to validate and certify 419 artisanal mining sites in eastern DRC as conflict-free and child labor-free, a significant increase from 285 in the previous year. The Ministry of Labor, responsible for inspecting worksites for child labor, remained understaffed and had limited resources to conduct inspections for child labor violations, including trafficking violations, throughout the country. The government did not have effective policies regulating labor recruiters and did not hold fraudulent recruiters accountable—a trafficking crime affecting many Congolese. The government did not provide anti-trafficking training for FARDC troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, the DRC is a source and destination country for men, women, and children subjected to forced labor or sex trafficking, and a transit country for children subjected to forced labor. Worsening political and economic conditions throughout the country exacerbated already high levels of instability, insecurity, and political tension and rendered populations more vulnerable to trafficking. Some traffickers were individuals or family members who promised victims or victims' families educational or employment opportunities but instead forced trafficking victims to work as domestic servants, street vendors, gang members, or prostitutes; most trafficking is internal and involves forced labor in artisanal mining sites, agriculture, domestic servitude, forced prostitution, or child recruitment by armed groups. In February 2018, an international organization estimated that were more than 150 different armed groups in the DRC. In 2017, several armed groups continued to abduct and forcibly recruit Congolese men, women, and children as combatants and in support roles, such as guards, porters, cleaners, cooks, messengers, spies, and tax collectors at mining sites; women and girls were forced to marry or serve as sex slaves for members of some armed groups. As reported in 2015, traffickers would force some children to commit crimes for them, such as looting and extortion. In 2017, an international organization reported 1,031 confirmed cases of children who were forcibly recruited and used by armed groups, while at least 2,360 children were separated or escaped from armed groups, a significant increase from the prior year. In 2016, abductions for recruitment by the Lord's Resistance Army increased slightly, and 16 Burundian child soldiers and one Rwandan child soldier, some recruited from refugee camps, were stopped by government officials while reportedly transiting through the DRC to fight in armed groups in Burundi. Child soldiers separated from armed groups and reintegrated into society remain vulnerable to re-recruitment, as adequate rehabilitation services did not exist for children suffering severe psychological trauma, stigmatization may interfere with community reintegration.

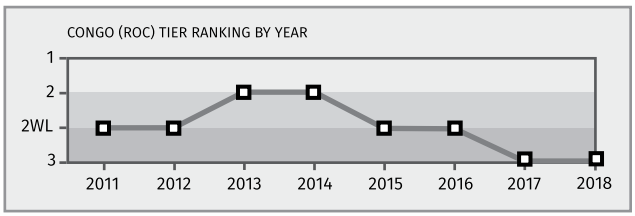
For a third consecutive year, there were no cases of child recruitment by the FARDC. However, there were multiple reports of the FARDC's collaboration with proxy militias that recruit and use children. For instance, an international organization reported ongoing collaboration between the FARDC and Mai Mai Guidon, also known as Nduma Defense of Congo Renove (NDC-R)—to coordinate battlefield tactics and capture of territory from a foreign illegal armed group with ammunition and support from FARDC officials—which recruited and used at least 42 children in 2017. Local and international organizations, as well as media, reported ongoing collaboration between government officials, the FARDC, and the Bana Mura armed group in Kasai that abducted and used children as child soldiers, porters, and for sexual exploitation

in 2017. Reports alleged that government officials supplied the armed group with various weapons and ammunition and that the FARDC led and coordinated operations with the Bana Mura.

Some men, women, and children working in artisanal mines in eastern DRC are subjected to forced labor, including debt bondage, by mining bosses, other miners, family members, government officials, and armed groups. Some children are subjected to forced labor in the illegal mining of diamonds, copper, gold, cobalt, tungsten ore, tantalum ore, and tin, as well as the smuggling of minerals. In January 2016, an international organization reported widespread abuse, including forced labor, of some children in artisanal cobalt mines in southern DRC; some children reported extremely long working hours and physical abuse by security guards employed by the state mining company. Children are also vulnerable to forced labor in small-scale agriculture, domestic work, street begging, vending, and portering. Some street children are suspected to be forced to participate in illicit drug transactions and exploited in sex trafficking. Children from the Republic of the Congo may transit through the DRC en route to Angola or South Africa, where they may be subjected to domestic servitude. Some Congolese women and girls subjected to forced marriage are highly vulnerable to domestic servitude or sex trafficking. Congolese women and children migrate to other countries in Africa, the Middle East, and Europe, where some are exploited in sex trafficking, domestic servitude, or forced labor in agriculture and diamond mines. Some women may be fraudulently recruited and forced into domestic servitude abroad through false promises of education or employment opportunities. Some Angolans who enter the DRC illegally to work in Bas Congo province are vulnerable to forced labor.

CONGO, REPUBLIC OF THE: TIER 3

The Government of the Republic of the Congo does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the Republic of the Congo remained on Tier 3. Despite the lack of significant efforts, the government investigated at least three suspected traffickers, prosecuted one suspected trafficker, and convicted one trafficker in absentia. However, the government did not fund or take any steps to implement the 2014-2017 national action plan, did not provide funding to the Trafficking in Persons Coordinating Committee in Pointe-Noire, and did not provide care to any victims or provide any support to NGOs that did. Cases remained pending prosecution for up to seven years and harassment by government officials, reportedly including police, of anti-trafficking activists continued during the reporting period. The lack of an inter-ministerial coordinating body and incomplete understanding of anti-trafficking laws among government officials continued to hinder countrywide efforts.



RECOMMENDATIONS FOR THE REPUBLIC OF THE CONGO

Significantly increase investigations, prosecutions, and convictions of traffickers, including allegedly complicit officials; drastically improve the provision of protective services to trafficking victims that provides appropriate care to victims nationwide and develop formal procedures to identify trafficking victims among child laborers, illegal immigrants, women and girls in prostitution, and indigenous persons; enact comprehensive anti-trafficking legislation that criminalizes all forms of trafficking and prescribes penalties that are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape; while respecting due process, expedite hearings to address the trafficking case backlog or consider prosecuting trafficking cases in the low court in the interim; fund the Trafficking in Persons Coordinating Committee, the national action plan, and protective services such as the foster care system; extend anti-trafficking efforts beyond Pointe-Noire and Brazzaville; significantly increase anti-trafficking training for all law enforcement, prosecutors, and judges; provide adequate security and supervision for victims placed in foster families and with anti-trafficking activists and partners; establish a national inter-ministerial body that includes all relevant ministries to increase coordination of countrywide anti-trafficking efforts; bolster anti-trafficking law enforcement cooperation with other governments in the region, especially Benin and the Democratic Republic of the Congo (DRC); and accede to the UN Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol.

PROSECUTION

The government maintained inadequate anti-trafficking law enforcement efforts. The country's laws criminalized some forms of sex and labor trafficking. Article 60 of the 2010 Child Protection Code criminalized child trafficking, including sex trafficking and forced labor, for which article 115 prescribed penalties of hard labor for an undefined period of time and a fine between 1 million to 10 million Central African CFA francs (CFA) ($1,760 to $17,610). Article 68 of the Child Protection Code also criminalized forced child labor and debt bondage, for which article 122 prescribed penalties between three months and one-year imprisonment or fines of 50,000 to 500,000 CFA ($88 to $880). Article 4 of the country's labor code prohibited forced or compulsory labor, but there were no penalties defined in the law. None of these penalties were sufficiently stringent, and the penalties prescribed for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 131 of the penal code criminalized forced prostitution and carried penalties between two and five years imprisonment and fines between 1 million and 10 million CFA ($1,760 to $17,610). The penalties for forced prostitution were sufficiently stringent, but with regard to sex trafficking, were not commensurate with those prescribed for other serious crimes, such as rape. Congolese law did not criminalize all forms of trafficking of adults, including bonded labor or the recruitment, harboring, transport, or provision of a person for the purposes of forced labor. Draft anti-trafficking legislation, completed in partnership with an international organization in 2014, remained pending for the fifth consecutive year.

The government initiated the investigation of at least three traffickers in 2017, a decrease compared to investigating five traffickers the prior year. An NGO reported conducting

investigations into 21 potential cases during the reporting year and, of these, working with victims to reach out-of-court settlements in 18 cases and turning over the remaining three to local authorities for further investigation. The government reported prosecuting and convicting one trafficker in 2017, a decrease from five prosecutions but an increase from zero convictions in 2016. The Criminal Court in Pointe-Noire convicted and sentenced one Beninese trafficker under the Child Protection Code, in absentia, to 30 years imprisonment—the government's first conviction of a trafficker. The Beninese trafficker was found guilty of falsifying documents to facilitate taking children from Benin to the Republic of the Congo for domestic servitude; however, at the time of the trial, the trafficker had already fled the country while on bail and will consequently avoid punishment. The government did not coordinate with the Government of Benin on the extradition of the convicted trafficker or in investigations of any additional cases, despite most of the trafficking victims originating in Benin; both governments were partners in a 2011 bilateral agreement, which has never been utilized. Additionally, an NGO continued to allege that a powerful trafficking network fraudulently recruited young children from destitute communities in Benin with the promise of economic opportunities and education in the Republic of the Congo only to face domestic servitude and forced labor in market vending upon arrival. Many cases continued to languish, some without progress for up to seven years, partly because of a significant backlog in the high court.

The government reported one investigation of a government official allegedly complicit in human trafficking offenses; however, it did not report efforts to prosecute or convict allegedly complicit officials despite ongoing and significant concerns of corruption and complicity during the year. The government reported investigating an official at the Ministry of Social Affairs, responsible for anti-trafficking matters, who was allegedly complicit in child trafficking for the purpose of domestic servitude. In addition, an NGO reported alleged official complicity of a non-Congolese foreign government official with diplomatic immunity, who was purportedly involved in facilitating the flight of a trafficker by bribing a Congolese official and falsifying documents to facilitate child trafficking. However, the government did not investigate this allegation. The government reportedly continued to include anti-trafficking training in the standard academy training for new police and immigration officers; however, there was some concern over the quality of the content and whether instructors always covered the entire curriculum. The government did not provide any other anti-trafficking training for law enforcement during the reporting period due to a lack of funding. Limited understanding of the child anti-trafficking law among law enforcement officials, judges, and labor inspectors continued to hinder anti-trafficking law enforcement efforts. Human trafficking activists reportedly continued to face harassment and threats, including from officials, which inhibited their work and progress in providing justice and assistance for trafficking victims.

PROTECTION

The government decreased protection efforts. The government continued to focus the majority of its efforts on West African children in forced labor in Pointe-Noire and did not report efforts to identify or assist Congolese victims or foreign victims exploited in other cities or other forms of trafficking during the reporting period. The government did not employ systematic procedures to identify victims among vulnerable groups or refer victims for assistance, relying instead on NGOs and international organizations to identify victims. During the reporting period, the government did not identify any trafficking victims. An NGO identified 15 victims, compared to the 16 it identified in the previous reporting period. Of these 15 identified victims, there were 11 children and four adults, eight females and seven males, at least eight were Beninese and two were Congolese, and all were victims of forced labor with one victim also exploited in sex trafficking. Once identified by the NGO, law enforcement would generally assist in removing the victim from the exploitative situation, dependent on funding for the operation from the NGO.

The Trafficking in Persons Coordinating Committee in Pointe-Noire, which aids in assigning identified West African child trafficking victims to foster homes and conducts family tracing, referred no children to foster families; however, a local NGO referred an unknown number of child victims to such homes. The government did not provide an operating budget for the Coordinating Committee, and has not since 2014. The government did not provide care to any victims, but relied on partnerships with NGOs and foster families to enable victims in Pointe-Noire to receive access to care; however, it did not fund these entities or any victim assistance programs during the reporting period. Five foster care families were available in Pointe-Noire, but only one reported receiving victims during the reporting period due to a lack of government funding. The government did not facilitate NGO partnerships to provide protective services elsewhere in the country. The government did not facilitate or fund the repatriation of any trafficking victims, a decrease from 13 repatriations it facilitated in 2016.

There were no reports of victims jailed or prosecuted for crimes committed as a result of their having been subjected to trafficking; however, inadequate identification efforts may have left victims unidentified in the law enforcement system. While most victims choose to settle cases outside of court, officials encouraged victims to assist in the prosecution of their traffickers, but did not expect child victims to testify in court. Congolese law did not provide legal alternatives to the removal of victims to countries where they would face retribution or hardship; while the government reported it did not deport foreign victims, it did not report issuing temporary or permanent residency status to victims on an ad hoc basis during the reporting period.

PREVENTION

The government made negligible efforts to prevent trafficking. The Trafficking in Persons Coordinating Committee in Pointe-Noire, which solely focuses on West African child trafficking victims in Pointe-Noire, did not meet to coordinate anti-trafficking efforts during the reporting period, but did hold a few internal meetings on how to revitalize the committee. The government did not establish an inter-ministerial coordinating body to guide national anti-trafficking efforts. The government did not conduct any awareness-raising campaigns during the reporting period. The government did not fund the implementation of the 2014-2017 action plan or the efforts of the Coordinating Committee. The government did not operate a hotline within the country that trafficking victims could use. The government did not have effective laws or policies regulating labor recruiters nor did they prosecute any for fraudulent recruitment. The government did not take discernible measures to reduce demand for commercial sex acts, forced labor, or child sex tourism. The government has signed but has not acceded to the Convention Against Transnational Organized Crime and the 2000 UN TIP Protocol. With support from a foreign

donor, the government provided its troops with anti-trafficking training, prior to their deployment abroad on international peacekeeping missions; however, amidst several complaints, Congolese peacekeepers were relieved of duty in 2017.

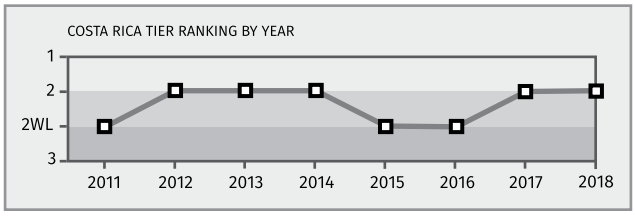
TRAFFICKING PROFILE

As reported over the past five years, the Republic of the Congo is a source and destination country for children, men, and women subjected to forced labor and sex trafficking. According to a study released by an international organization in 2013, most trafficking victims in the Congo originate from Benin and the DRC, and to a lesser extent from other neighboring countries. Most foreign victims are subjected to forced labor in domestic servitude and market vending. Women and girls from Benin, ages 7 to 19, constituted the majority of identified trafficking victims in the previous reporting period, all of which endured forced labor. Both adults and children are victims of sex trafficking in the Congo, with most between the ages of 9 and 11. Girls and women from both the Republic of the Congo and the DRC are subjected to sex trafficking, with clients from among Chinese and Malaysian construction workers building a highway near the cities of Nkayi and Pointe-Noire.

Internal trafficking involves recruitment from rural areas for exploitation in cities. The indigenous population is especially vulnerable to forced labor in agriculture. NGOs in Bambama, Sibiti, and Dolisie reported the majority population, called Bantus, often forced adult indigenous people to harvest manioc and other crops without pay and under the threat of physical abuse or death. Most children subjected to trafficking within the country migrate from rural to urban areas to serve as domestic workers for relatives or family friends. Some child trafficking victims are also subjected to forced labor in bakeries, and the fishing and agricultural sectors, including in cocoa fields in Sangha department, sugar cane fields in the Bouenza department, and, among indigenous populations, harvesting manioc in the Lekoumou department.

COSTA RICA: TIER 2

The Government of Costa Rica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Costa Rica remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers; addressing complicity by arresting a police officer for allegedly assisting a criminal trafficking network; identifying more trafficking victims than in the previous year; and approving a new protocol to improve identification of child trafficking victims. However, the government did not meet the minimum standards in several key areas. Distribution of government-funded resources to address trafficking remained insufficient, particularly in the area of victim protection and assistance, which remained uneven for male victims. Civil society organizations reported referral mechanisms were not always implemented in an effective or timely manner. Authorities did not convict any officials complicit in human trafficking or trafficking-related offenses.



RECOMMENDATIONS FOR COSTA RICA

Increase distribution of funds for victim services and provide specialized shelter and services for trafficking victims, including men and LGBTI persons, in partnership with civil society organizations; intensify efforts to investigate and prosecute trafficking offenses, particularly labor trafficking cases, and convict and punish traffickers; increase victim identification and referral, particularly in cases occurring outside of the capital; conduct thorough and transparent criminal investigations of alleged government complicity in trafficking offenses and prosecute, convict, and punish complicit officials; increase efforts to investigate, prosecute, and convict child sex tourists and others who purchase commercial sex acts from child trafficking victims; increase anti-trafficking training for police, prosecutors, and judges; and improve data collection on law enforcement and victim protection efforts.

PROSECUTION

The government increased law enforcement efforts. The Law against Trafficking and the 2013 Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. It specifically criminalized the acts of promoting, facilitating, or assisting in the entrance into or exit from the country, or the displacement within the country of persons for prostitution, sexual or labor exploitation or servitude, slavery or practices similar to slavery, forced labor or services, forced marriage, forced begging, illegal extraction of organs, or illegal adoption as the crime of trafficking. Inconsistent with international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements, of the crime. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation and labor exploitation. Article 172 criminalized sex trafficking and prescribed penalties of four to 20 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes. In addition to article 172, officials used trafficking-related offenses to prosecute trafficking cases, including aggravated pimping (article 170) and coerced pimping (article 171). These articles prescribed penalties ranging from two to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. Article 189 criminalized forced labor or services and prescribed penalties of four to eight years imprisonment; these penalties were sufficiently stringent. On May 8, 2018, the government adopted amendments to articles 172 and 189, which aligned the law's definition of trafficking more closely with international law by removing the requirement of movement and establishing force, fraud, or coercion as essential elements of the crime except in the case of child sex trafficking where these means are not required.

The Attorney General's Office reported investigating 62 cases of movement-based trafficking (article 172), coerced pimping (article 171), aggravated pimping (article 170), and forced labor or services (article 189), compared to 27 new cases in 2016.

The government initiated 41 new prosecutions and convicted five traffickers under articles 172 and 189 to sentences ranging from five to 23 years imprisonment, compared to 39 new prosecutions and one conviction under article 172 in 2016. Notable cases included aggravated and coerced pimping in bars, forced labor as domestic servants, and transnational sex trafficking operations where traffickers recruited victims with false promises of employment in modeling agencies and restaurants and exploited them in commercial sex. Observers noted improvements in coordination between the Attorney General and judicial investigatory police, but a significant backlog of criminal cases, including trafficking cases, slowed prosecutions. Costa Rica's judiciary began developing a "Strategic Plan for the Prosecution of Trafficking in Persons" to address its deficiencies and advanced key elements of the plan during a workshop in March 2018. The government provided anti-trafficking training to law enforcement, the judicial sector, child welfare officials, educational professionals, and civil society members. The government reported the former mayor indicted for establishing a trafficking network in 2011 still awaited trial. Authorities arrested a police officer for allegedly assisting a criminal trafficking network operating out of a bar during the reporting period; the officer remained in custody pending trial. The government did not convict any officials complicit in human trafficking or trafficking-related offenses.

PROTECTION

The government maintained victim protection efforts. The government identified 34 trafficking victims (24 sex trafficking, nine forced labor, one both sex trafficking and forced labor) under the trafficking law, compared to 17 trafficking victims in 2016 (12 sex trafficking and five forced labor) and three sex trafficking victims in 2015. The government provided shelter and health, legal, and psychological services to 38 potential victims or their dependents during the reporting period, including 20 women, four men, 11 girls, and three boys. Potential victims and their dependents received immediate services, and all 38 were "accredited" under Costa Rican protocols. Law enforcement authorities used written procedures for identifying victims among vulnerable groups, such as migrants and individuals in prostitution, and referred identified victims to the government's interagency anti-trafficking body, the National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT) to coordinate service provision. In 2017, the government approved the "Institutional Protocol for the Care of Minors and Survivors of Trafficking in Persons," which established the steps officials must take when detecting a crime, especially a possible case of trafficking.

CONATT coordinated assistance to trafficking victims, including emergency, short-term, and long-term assistance, which could include food, lodging, and health, financial, legal, and psychological services. The government assisted minor victims through a dedicated network of shelters for minors and two government-funded NGOs. Authorities had the discretion to refer victims to services on a case-by-case basis; not all victims received the same level of protection. Civil society organizations reported referral mechanisms were not always implemented in an effective or timely manner, and recommended the government provide transportation for victims to institutions providing assistance. The government, through the National Anti-Trafficking in Persons and Smuggling of Migrants Fund (FONATT), disbursed 132 million colones ($234,000) to fund trafficking victim services in 2017, compared to 122 million colones ($216,310) in 2016. The child welfare agency provided direct funding and a per-victim subsidy for identified victims to an NGO-run shelter for child victims. The government also directed 97.4 million colones ($172,700) in lottery funds to an NGO providing services to trafficking victims, compared to 91 million colones ($161,350) in 2016. The government did not provide dedicated shelters or specialized services to male victims, although the emergency shelter and safe houses could be used for male or female victims. Observers reported that, despite dedicated government resources to anti-trafficking efforts, including victim services, the failure to fully distribute all of these resources hindered the country's ability to address its trafficking problem. Costa Rican law permitted 17 victims to provide testimony outside of court proceedings in 2017 to avoid re-traumatizing the victims. The government granted temporary residency status, with permission to work or study, to two foreign victims in 2017. The government worked with one foreign government to repatriate one Costa Rican trafficking victim in 2017. There were no reports the government penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. CONATT met periodically to review progress in the areas of research, protection, prevention, and prosecution; presented a public report on its accomplishments every four months; and funded an international organization to develop a new national action plan for 2018-2022. In 2017, the government allocated 1.6 billion colones ($2.8 million) and disbursed 1.03 billion colones ($1.8 million) to fund 11 anti-trafficking programs, including prevention campaigns, a community security program, purchase of vehicles, and training and technical support for government agencies. Authorities financed the UN Blue Heart national public awareness campaign through advertisements on billboards, buses, and in tourist facilities; publicized the 9-1-1 hotline with anti-trafficking messages on national lottery tickets; and held public events to warn about the dangers of trafficking. The Judiciary Police operated the 9-1-1 hotline available for general crime reporting, but did not report receiving trafficking calls. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government worked to reduce the vulnerability of children of migrant indigenous workers in the coffee sector by expanding the availability of childcare centers. The government educated labor recruiters for international and domestic businesses about the consequences of violating the anti-trafficking regulations, but did not report investigating or penalizing any labor recruiters for illegal practices that contribute to trafficking. The government raised awareness of child sex tourism and integrated the international code of conduct related to commercial sexual exploitation in the travel and tourism industry into its national tourism program. The government continued to investigate and prosecute individuals that paid child trafficking victims for commercial sex, resulting in 62 investigations and three convictions compared with 35 investigations and at least one conviction in 2016. Working in collaboration with international partners, the government reported denying entry to all 57 foreign-registered sex offenders who attempted to travel to Costa Rica as tourists in 2017.

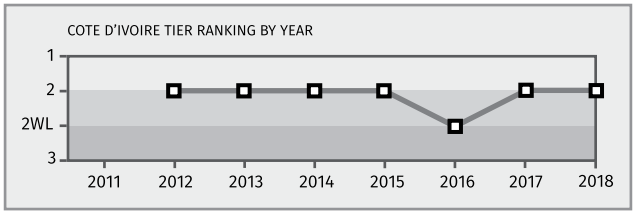
TRAFFICKING PROFILE

As reported over the past five years, Costa Rica is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Costa Rican women and children are subjected to sex trafficking within the country, with those living in the north and central Pacific coastal zones being particularly vulnerable. Authorities have identified adults

using children to transport or sell drugs; some of these children may be trafficking victims. Migrants en route to the United States remained vulnerable to trafficking. LGBTI persons, particularly transgender Costa Ricans, are vulnerable to sex trafficking. Women and girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified in Costa Rica as victims of sex trafficking and domestic servitude. Child sex tourism is a serious problem, with child sex tourists arriving mostly from the United States and Europe. Men and children from other Central American countries are subjected to forced labor in Costa Rica, particularly in the agriculture and domestic service sectors. Nicaraguan men and women transit Costa Rica en route to Panama, where some are subjected to forced labor or sex trafficking. Indigenous Panamanians are also reportedly vulnerable to forced labor in agriculture in Costa Rica.

COTE D'IVOIRE: TIER 2

The Government of Cote d'Ivoire does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Cote d'Ivoire remained on Tier 2. The government demonstrated increasing efforts by convicting more traffickers, including its first convictions under the 2016 anti-trafficking law; reporting data from significantly more departments; providing emergency shelter and services to 16 trafficking victims; establishing an anti-trafficking committee headed by the prime minister; and assisting potential trafficking victims returned from Libya. However, the government did not meet the minimum standards in several key areas. It did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care; convene its anti-trafficking committee; or provide sufficient funding or resources for law enforcement or NGOs, the latter of which it relied on for the majority of victim assistance.



RECOMMENDATIONS FOR COTE D'IVOIRE

Increase funding and resources for the police anti-trafficking units to investigate trafficking cases nationwide and delineate responsibilities between the units; vigorously investigate, prosecute, and convict traffickers and apply sufficiently stringent penalties; train law enforcement and judicial officials how to identify, investigate, and prosecute trafficking cases under the 2016 anti-trafficking law, including the difference between pimping and sex trafficking; convene the anti-trafficking committee, clearly delineate responsibilities for activities in the 2016-2020 action plan, and fund its implementation; revise the existing procedures used to identify potential trafficking victims to include adults and victims among vulnerable populations, and incorporate the changes into existing trainings; establish and train officials on a standardized victim referral mechanism for use across ministries to ensure all trafficking victims receive services; increase funding for NGOs to expand shelter and services for trafficking victims, and establish victim shelters as indicated in the national action plan; direct labor inspectors to inspect the informal sector for forced labor; actively monitor agencies and middlemen that recruit Ivoirians for work abroad and investigate allegations of fraudulent recruitment; and improve data collection on anti-trafficking efforts.

PROSECUTION

The government increased law enforcement efforts. Law No. 2016-111 on the Fight Against Trafficking in Persons criminalized labor and sex trafficking and prescribed penalties of five to 10 years imprisonment and a fine for adult trafficking and 20 to 30 years imprisonment and a fine for child trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, judges also used the 2010 child labor and child trafficking law and the criminal code to convict traffickers. The 2010 law remained the primary law used to prosecute child trafficking, and it criminalized child sex trafficking with penalties of five to 20 years imprisonment and a fine and child labor trafficking with 10 to 20 years imprisonment and a fine. Articles 335 and 336 of the Ivoirian Criminal Code criminalized the pimping and exploitation of adults and children for the purpose of forced prostitution with penalties of one to five years imprisonment and a fine.

The government did not have a mechanism to collect and share data between ministries, so it did not gather or report comprehensive data on anti-trafficking law enforcement efforts. However, several government entities collected data, including the police's anti-trafficking unit (ATU); Brigade Mondaine—the police unit charged with investigating prostitution and sex trafficking; the police's transnational organized crime unit (UCT); the Ministry of Women, Child Protection and Social Affairs (MWCPSA); and the Ministry of Justice and Human Rights (MOJ). With data from Abidjan and 33 departments—a significant increase from the previous reporting period, when Abidjan and eight departments reported data—the government reported 59 case investigations, prosecuting 27 suspects, and convicting 20 traffickers. This is an increase from 35 case investigations, 19 prosecutions, and eight convictions in the previous reporting period. Entities reported 32 sex trafficking investigations and 12 for labor trafficking, and did not report the types of trafficking for the remaining investigations; alleged traffickers included suspects from Cote d'Ivoire, Benin, Burkina Faso, China, Ghana, Nigeria, and Togo. Judges convicted traffickers under the 2016 and 2010 laws and the criminal code for trafficking, pimping, solicitation, exploitation of minors, and the worst forms of child labor; in several cases, judges convicted traffickers for two of those crimes. Sentences ranged from two months to 11 years imprisonment, and more than half of the convicted traffickers received at least five years imprisonment. Judges acquitted seven alleged traffickers, and at least 14 investigations remained ongoing at the end of the reporting period. The government did not report any cases of adult forced labor.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, official corruption and complicity in trafficking remained concerns. During the reporting period, a government official reportedly asked police to release a central suspect in one alleged trafficking case; in another potential trafficking case, NGOs alleged a government official was involved. Law enforcement did not investigate either

government official for trafficking-related corruption or complicity. Authorities outside Abidjan lacked training to identify and investigate trafficking. Some judges remained unaware of the 2016 law and continued to use the 2010 law and pimping statues to prosecute trafficking cases, which carried lesser penalties. Nonetheless, the government did not provide any training for officials.

Limited funding and resources for law enforcement created serious gaps in the government's ability to address human trafficking. ATU bore primary responsibility for enforcing anti-trafficking laws and investigating cases throughout the country, although it only had staff in Abidjan. The *gendarmes* under the Ministry of Defense were responsible for investigations in rural areas where ATU was not present. ATU had a budget of approximately $4,592 in 2017, the same as in 2016. Funding levels remained severely inadequate. Resource limitations also constrained the Brigade Mondaine to Abidjan and a few regional precincts, rendering the two primary anti-trafficking units unable to cover the majority of the country. UCT became fully functional during the reporting period and had national jurisdiction over transnational organized crime, including a specialized human trafficking department. The government allocated 71.6 million West African CFA francs (FCFA) ($127,330) to UCT in 2017, although it was unclear how much of that funding the human trafficking department received. ATU had the mandate for child trafficking, UCT was responsible for transnational trafficking, and Brigade Mondaine covered sex trafficking; however, the units lacked coordination, and no unit had a clear responsibility for internal adult labor trafficking.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 57 trafficking victims and 167 victims of child labor or child trafficking during the reporting period, compared with 106 trafficking victims and 62 potential trafficking victims in the previous reporting period. Victims included child labor trafficking victims and at least 16 Chinese and Nigerian female sex trafficking victims. The government did not have formal mechanisms to identify adult trafficking victims or refer trafficking victims to care, and government ministries lacked coordination, which in some cases hindered the provision of services. Operational procedures encouraged officials to refer trafficking victims to one of 90 government-run social centers for psychological care and then to NGOs for shelter and further services. When necessary, the government used orphanages or its 36 special education centers to shelter women and child trafficking victims. The government referred all 57 trafficking victims to NGOs or government shelters for care. The government used funds from the National Solidarity Fund to provide short-term shelter and repatriation for at least 16 of the victims—the first time it used this fund to assist trafficking victims—and provided in-kind support including clothing, food, and hygiene kits to NGOs where it referred the 41 other victims. This is compared to the government providing 30 million FCFA ($53,350) to NGOs that assisted trafficking victims in 2016. Foreign and domestic victims reportedly had the same access to care. NGOs reported that despite the provision of in-kind support, government support for victim protection and services remained inadequate, and in many cases NGOs funded and provided the majority of victim care. The lack of services, especially for adults, and lack of reintegration assistance remained inadequate and rendered many victims vulnerable to re-victimization. With donor funding, the government provided 100,000 FCFA ($178) and hygiene and food kits to approximately 1,160 migrants returned from Libya, some of whom were trafficking victims. Government social services continued to provide income-generating assistance to the families of 41 child labor and trafficking victims identified in previous reporting periods.

Ivoirian law required the government to provide protection and assistance to victims who participated in investigations or trials against their traffickers; the government did not report whether any victims received this assistance during the reporting period. There was no mechanism for victims to obtain restitution or file civil suits against their traffickers. While victims could obtain damages from traffickers, many victims were not aware of the provision, and none reported doing so during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to the lack of formal identification procedures for adult trafficking victims and victims among vulnerable populations, some may have remained unidentified within the law enforcement system.

PREVENTION

The government maintained inadequate efforts to prevent trafficking. In April 2017, the government created the anti-trafficking committee, as mandated in the 2016 anti-trafficking law. The committee, under the direction of the prime minister, had the lead for anti-trafficking prevention efforts, including implementation of the 2016-2020 anti-trafficking national action plan; however, the prime minister did not convene the committee during the reporting period. As a result, poor communication and coordination among ministries continued to hinder progress, and implementing agencies did not have a clear understanding of their role in combating trafficking. For the second consecutive year, the government did not take concrete steps to implement its action plan and did not report if it had disbursed any of the 1.94 billion FCFA ($3.4 million) that it had committed to the plan in the previous year. The National Monitoring Committee and the Inter-Ministerial Committee continued to coordinate child labor and child trafficking efforts. The government allocated 62 million FCFA ($110,260) for implementation of the 2015-2017 child labor and child trafficking national action plan, the same as in 2016, and allocated 164 million FCFA ($291,640) to the child labor monitoring system to analyze trends in child labor and coordinate services for children in or at risk of child labor. The government adopted regulations outlining the types of light work and hours children aged 13-16 could work, which could reduce their vulnerability to trafficking. Several government ministries organized awareness-raising campaigns on the new child labor regulations and the 2016 anti-trafficking law. The labor code regulated labor recruitment and labor migration in the formal sector but did not extend to the informal sector, including domestic work, and traffickers exploited Ivoirian women in domestic servitude internally and abroad. In addition, labor inspectors did not conduct any inspections of the informal sector—where most children worked—in 2017. The government continued to run several hotlines for vulnerable people, including trafficking victims; it was unclear if they received any trafficking reports during the reporting period. The government did not demonstrate efforts to reduce the demand for commercial sex acts but made some efforts to reduce the demand for child labor and forced labor in the cocoa sector. It was unclear if training provided to Ivoirian troops prior to their deployment abroad as part of international peacekeeping missions included an anti-trafficking component.

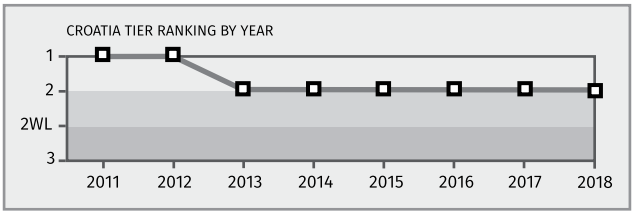
TRAFFICKING PROFILE

As reported over the past five years, Cote d'Ivoire is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and a source for men in forced labor. The majority of identified victims are children; due to a stronger emphasis on combating internal child trafficking, the prevalence of adult trafficking may be underreported. Some Ivoirian women and girls are subjected to forced labor in domestic service and restaurants and exploited in sex trafficking. Ivoirian boys are victims of forced labor in the agricultural and service industries, especially cocoa production. West African boys, including Burkinabes, may be forced into labor in agriculture (on cocoa, coffee, pineapple, cashew, and rubber plantations, and in animal breeding) and in mining, carpentry, construction, and begging in Cote d'Ivoire. Traffickers often operate in well-established networks consisting of both Ivoirians and foreigners and, in cases of transnational trafficking, use social media, making networks difficult for law enforcement to detect. Authorities estimate there are more than 2,000 Ivoirian, Burkinabe, Malian, Nigerien, and Senegalese *talibes* (students in Quranic schools) in northern and central Cote d'Ivoire and that corrupt teachers force many of them to beg. NGOs and officials report drug traffickers use children—some of whom may be forced—to sell and traffic drugs in restaurants and nightclubs. Some Beninese and Togolese workers migrate to Cote d'Ivoire for construction and carpentry work and bring children, whom they exploit in domestic servitude. Traffickers—commonly distant relatives—bring girls from eastern Cote d'Ivoire and other West African countries to Abidjan ostensibly to go to school or receive professional training but subject them to domestic servitude. Ghanaian and Nigerian traffickers recruit women and girls from Ghana and Nigeria for waitressing jobs but subject them to sex trafficking in restaurants or massage parlors; some victims believe they are transiting Cote d'Ivoire en route to Europe. Nigerian traffickers increasingly exploit Nigerian women and girls in sex trafficking in Cote d'Ivoire's northern and western mining regions, including near gold mines in Tengrela. Nigerian traffickers bring Nigerian children to northern Cote d'Ivoire for domestic servitude. Nigerians transit Cote d'Ivoire en route to sex trafficking in Asia, the United Arab Emirates, and North Africa. Chinese traffickers forced Chinese women into prostitution in Cote d'Ivoire during the reporting period.

Ivoirian community and religious leaders, possibly working in concert with others abroad, recruit Ivoirian women and girls for work in the Middle East and Europe but subject them to forced labor in Europe, North Africa, and the Gulf, primarily Saudi Arabia, Morocco, Lebanon, and Tunisia. Traffickers exploit men and boys in forced labor on farms in Tunisia, often promising the men well-paying jobs and the boys the opportunity to play soccer. During the reporting period, officials identified an uptick in Ivoirian migrants in Libya and Tunisia who were vulnerable to trafficking. Migrants commonly depart from Daloa and proceed via airplane to Tunisia; over land via Mali and Algeria to Libya; or, to a lesser extent, via Niger to Libya. In Tunisia—specifically Sfax and Grand Tunis—intermediaries confiscate migrants' identity documents until they can pay for the next leg of their journey, creating vulnerabilities to trafficking. Due to their irregular status, illegal Ivoirian migrants in Algeria are vulnerable to trafficking. Authorities identified Ivoirian female trafficking victims in Iraq and Israel during the reporting period and have previously identified Ivoirian trafficking victims in Cyprus, France, and Morocco.

CROATIA: TIER 2

The Government of Croatia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Croatia remained on Tier 2. The government conducted proactive investigations, including of the largest trafficking case reported with 59 potential victims and adopted two protocols strengthening victim protection. The government implemented an electronic case management system and provided robust support services for trafficking victims. However, the government did not meet the minimum standards in several key areas. Judges continued to issue light sentences and often dismissed victim testimony as unreliable due to a lack of understanding of trafficking. Observers reported the need to increase proactive identification efforts, including towards asylum-seekers and seasonal workers, and a national action plan remained in development.



RECOMMENDATIONS FOR CROATIA

Vigorously investigate, prosecute, and convict traffickers, and impose strong sentences; allocate sufficient resources for first responders, particularly social workers, labor inspectors, and civil society to conduct proactive identification efforts; train judges at all levels of the judiciary to understand the severity of trafficking when issuing sentences, and sensitize judges to the issue of secondary trauma in sex trafficking testimony; implement efforts to address the vulnerability of children placed in child care institutions; allocate adequate resources and staff for the Office for Human Rights and Rights of National Minorities to enable it to more effectively combat trafficking; consistently allocate sufficient resources for regional mobile teams and NGOs participating in the regional mobile teams; increase efforts to identify victims among vulnerable populations, including street children, seasonal workers, migrants, refugees, asylum-seekers, and Roma; and finalize and adopt a national action plan.

PROSECUTION

The government maintained law enforcement efforts. Article 106 of the criminal code criminalized sex and labor trafficking and prescribed penalties of one to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated nine cases involving 17 suspects (seven cases involving 11 suspects in 2016). The government prosecuted 12 defendants in 2017 (11 in 2016). Courts convicted four traffickers (five in 2016) with sentences ranging between two years and eight months and four years and six months. The Supreme Court separately convicted three perpetrators with final verdicts (two in 2016). Lower courts originally convicted the traffickers under article 106 but the Supreme Court later held that the charges were more properly child pandering (article 162) and sexual exploitation of a child under 15 (article 168); two

of the three defendants received sentences lower than the prescribed three-year minimum for trafficking of children. The three perpetrators were sentenced to community service without incarceration, two years imprisonment, and three years and ten months imprisonment, respectively. The government reported improved procedures, including a new electronic case management system, for internally sharing information about trafficking cases.

Law enforcement personnel under the jurisdiction of the Ministry of Interior (MOI) conducted proactive investigations on commercial sex establishments, particularly during the tourist seasons, and joint investigations with the labor inspectorate in the construction and agriculture sectors. Law enforcement conducted spot checks of suspicious vehicles for signs of trafficking. The government trained 244 border and traffic police on trafficking issues, including developmental considerations in working with victims of child trafficking. The government maintained law enforcement cooperation with foreign governments, EUROPOL, INTERPOL, and the Southeast Law Enforcement Center, but did not specify the nature of that international cooperation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased victim protection efforts. The government identified 29 victims (30 in 2016). Of these, three were victims of forced labor, eight of sex trafficking, seven of forced criminality, and 11 of multiple types of exploitation (13 forced labor victims, 16 sex trafficking victims, and one victim of both in 2016); seven were girls and seven were boys (eight girls and three boys in 2016); six women and nine men (13 women and six men in 2016); and 10 were foreign victims (eight in 2016). In January 2018, police identified 59 victims from Taiwan, six from Croatia, and one from Bosnia and Herzegovina subjected to forced labor and forced criminality in an illegal call center; the government reported the case remained ongoing. A multi-disciplinary national referral mechanism provided standard operating procedures for identifying and referring victims to services. According to the national referral mechanism, first responders carried out the preliminary identification of potential victims and contacted one of four regional mobile teams consisting of social workers and NGO representatives that traveled to assess the potential victims in person and coordinated victim care and placement. MOI officially recognized victims based on collaboration with first responders and the regional mobile team and specialized police officers responsible for child protection were called in to work with potential child victims. NGOs involved in mobile teams reported two years of training were required to join the mobile team and stated they needed more funding to train staff in a shorter amount of time. The government adopted a protocol that further defined roles and responsibilities for victim identification. Observers reported the need to increase proactive identification efforts, including towards asylum-seekers and seasonal workers.

The government and NGOs provided victims protection and assistance, including shelter, medical assistance, legal assistance, psycho-social support, rehabilitation, and reintegration services. The government-funded two NGO-run shelters, one for adults and one providing specialized support for children; these shelters accommodated one child and seven adults (one child and three adults in 2016). The Ministry of Demography, Family, Youth and Social Policy (MDFYSP) accommodated an additional 14 child victims, nine in foster homes and five in group homes. The government reported plans to move toward implementation of foster care and away from using state child care institutions to mitigate traffickers targeting children from state orphanages. MDFYSP allocated approximately 360,000 kunas ($57,785) to support the NGO-run shelters and an additional 63,000 kunas ($10,110) for monthly living allowances for victims, compared to approximately 400,000 kunas ($64,210) in 2016. Additionally, the Office for Human Rights and Rights of National Minorities (OHRRNM) allocated 20,000 kunas ($3,210) for direct assistance to victims.

Foreign victims had access to the same services as domestic victims and were entitled to receive a renewable residence permit for a year; however, no foreign victims requested temporary residence status in 2017 (one in 2016). The government adopted a protocol that outlined procedures for the voluntary repatriation of victims. The Office of the Chief State Prosecutor maintained written instructions on non-penalization of victims and seven Victim and Witness Support Offices at county courts provided assistance during criminal proceedings, including the ability to testify via video link, the ability to enter into the witness protection program, referrals to specialized institutions, logistical assistance, and measures to prevent re-traumatization. No victims entered witness protection in 2017. OHRRNM created a roster of pro bono legal counsel available for victims, but observers reported a shortage of lawyers trained to represent trafficking victims. The government trained police officers on victim-centered investigations; however, experts reported that some judges lacked sensitivity and an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed as unreliable victim testimony. The government did not report the number of victims that cooperated with investigations in 2016 or 2017. The government reported no trafficking victims filed for compensation but all victims were informed of their right to compensation.

PREVENTION

The government maintained prevention efforts. The government continued to delay the adoption of a national action plan. OHRRNM served as the secretariat for the senior-level national coordinating committee; the national committee held a session in December 2017, compared to no sessions in 2016. The committee's working-level operational team held monthly meetings; the labor inspectorate was included in the national committee and the operational team. OHRRNM reported insufficient resources and staff. OHRRNM allocated 197,000 kunas ($31,620) for prevention efforts in both 2016 and 2017, including 4,000 kunas ($640) for the NGO-run hotline. Observers reported the NGO-run hotline operated only from 10am to 6pm due to inadequate financial support. The government monitored its anti-trafficking efforts, produced annual reports, and posted information on ministries' websites. OHRRNM allocated 6,250 kunas ($1,000) for EU Anti-trafficking Day and organized roundtables on child trafficking. The government held awareness campaigns targeting students and teachers, distributed informative materials, and aired trafficking programs on television and radio. The government continued to organize awareness-raising events for social workers, NGOs, government officials, and workers from the tourism industry. The MOI operated a specific unit consisting of 80 prevention officers for prevention activities and continued outreach programs for students and the service industry. The government continued to implement an awareness building campaign targeted towards Roma, and OHRRNM continued a

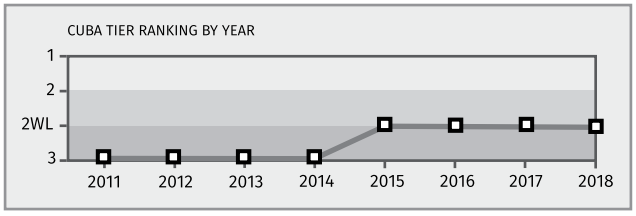
campaign sensitizing the public, including potential customers, to the reality that persons engaged in prostitution may be trafficking victims. The law regulated the operation of labor recruitment agencies.

TRAFFICKING PROFILE

As reported over the past five years, Croatia is a destination, source, and transit country for women and children subjected to sex trafficking; and for men, women, and children subjected to forced labor. Croatian women and girls remain at risk for sex trafficking within the country and elsewhere in Europe. Marginalized Romani children remain at risk for forced begging in Croatia and throughout Europe. Croatian, Bosnian, and Romanian women and men have been subjected to forced labor in the Croatian agricultural sector. Women and girls from the Balkans and Central Europe are subjected to sex trafficking in Croatia. In previous years, migrants in transit, particularly from Afghanistan and Pakistan, are forced into debt bondage by their smugglers to pay off smuggling fees. In 2017, Taiwan women and men, as well as Croatian and Bosnian women, were subjected to forced labor and forced criminality in an illegal call center.

CUBA: TIER 2 WATCH LIST

The Government of Cuba does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by prosecuting and convicting more traffickers, including a trafficker that subjected a boy to forced begging; creating a directorate to provide specialized attention to child victims of crime and violence, including trafficking; and publishing its national anti-trafficking plan for 2017-2020. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not criminalize most forms of forced labor, or sex trafficking of children ages 16 and 17, and did not report providing specialized services to identified victims. The government lacked procedures to proactively identify forced labor victims and detained potential sex trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking. Because the government has devoted sufficient resources to a written plan, that, if implemented, would constitute significant efforts to meet the minimum standards, Cuba was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Cuba remained on Tier 2 Watch List for the fourth consecutive year.



RECOMMENDATIONS FOR CUBA

Draft and enact a comprehensive anti-trafficking law that prohibits and sufficiently punishes all forms of human trafficking, including forced labor, sex trafficking of children ages 16 and 17, and the full range of trafficking "acts" (recruiting, transporting, transferring, harboring, or receiving persons); vigorously investigate and prosecute both sex trafficking and forced labor offenses; implement formal policies and procedures on the identification of all trafficking victims and their referral to appropriate services, and train officials, including first responders, in their use; adopt policies and programs that provide trafficking-specific, specialized assistance for male and female trafficking victims, including measures to ensure identified sex and labor trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to sex trafficking or forced labor; establish a permanent inter-ministerial anti-trafficking committee and implement the 2017-2020 national anti-trafficking action plan in partnership with international organizations; implement policies to prohibit force, fraud, or coercion by foreign labor recruiters and state-owned or controlled enterprises in recruiting and retaining employees; educate workers about trafficking indicators and where to report trafficking-related violations; and provide specialized training on trafficking indicators for hotline staff and interpretation for non-Spanish speakers.

PROSECUTION

The government increased law enforcement efforts. The penal code criminalized some forms of trafficking, but did not criminalize all forms of forced labor or sex trafficking of children ages 16 and 17, defining a child as an individual younger than 16 years of age, below the age set in international trafficking law, which is 18. Article 302 criminalized procuring and trafficking in persons and prescribed penalties of four to 10 years imprisonment, which were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include exploitative labor conditions and illegal adoption without the purpose of exploitation. Article 310 criminalized corruption of minors younger than 16 for sexual purposes and prescribed penalties of seven to 15 years imprisonment, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 312.1 criminalized corruption of minors younger than 16 for begging and prescribed penalties of two to five years or a fine. Articles 310 and 312 consider violence or intimidation, among other factors, as aggravating factors for which the penalty is increased to 20 to 30 years imprisonment or the death penalty. Provisions for adult and child sex trafficking did not explicitly criminalize the acts of recruitment, transport, and receipt of persons for these purposes. The penal code and labor code prohibited some conduct associated with forced labor including the deprivation of freedom (article 279.1), coercion (article 286.1), extortion (article 331), arbitrary exercise of rights (article 159.1), and directly establishing labor relations with adolescents younger than age 17 (labor code article 116). However, Cuban law did not prohibit forced labor as defined in international law. Since 2015, the government has mentioned its efforts to amend the criminal code to address trafficking as defined in international law, but as of February 2018 the criminal code did not prohibit all forms of trafficking.

In January 2018, the government published official data for calendar year 2016 on prosecutions and convictions of traffickers, the most recent data available. Authorities reported 21 prosecutions for 2016, compared with 10 prosecutions in 2015, and 39 convictions—37 sex traffickers, one trafficker for

forced child labor, and one defendant for patronizing a child sex trafficking victim—compared with 17 convictions in 2015. The average sentence was 10.5 years imprisonment, compared to 12 years in 2015. One notable case included domestic forced labor involving a trafficker convicted in 2016 for forcing a boy to beg tourists for money in the streets and confiscating the profits; and 14 cases of international sex trafficking in Africa, North and South America, and Europe in 2016, which involved Cuban nationals abroad recruiting victims in Cuba through telephone and internet with false offers of employment, promises of financial gain, and romantic relationships.

Students at the Ministry of Interior academy and police assigned to tourist centers received specific training in trafficking and victim assistance. The government-funded training for provincial and national prosecutors on transnational organized crime and trafficking. The government maintained at least 18 bilateral cooperation agreements or memorandums of understanding with other countries that included trafficking. Cuban authorities cooperated with their counterparts in at least 12 countries in 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. Observers noted the government continued the practice of threatening or coercing some participants to remain in the foreign medical mission program.

PROTECTION

The government maintained efforts to identify and protect sex trafficking victims, but did not provide specialized or comprehensive services to all victims. Authorities identified at least 27 victims in 2016 (17 child sex trafficking victims, nine adult sex trafficking victims, and one child forced labor victim), compared to 11 victims in 2015 (seven child sex trafficking victims, four adult sex trafficking victims, and zero forced labor victims). Of the at least 27 victims, 26 were female and one was male. The government did not report whether it provided specialized assistance to the 27 victims. The government reported having procedures to proactively identify and refer sex trafficking victims. Police and medical professionals identified and evaluated potential trafficking victims and referred them to other professionals for medical, psychological, psychiatric, educational, family, or social services. The government did not report having procedures to identify victims of forced labor. Other government-organized NGOs, like the Federation of Cuban Women (FMC), the Prevention and Social Assistance Commission, and the Committees for the Defense of the Revolution, referred trafficking victims to state authorities and provided victim services. Independent members of civil society expressed concern about the government's protection efforts and limited information on the scope of sex trafficking and forced labor in Cuba given sparse independent monitoring by NGOs and international organizations. The UN special rapporteur on trafficking in persons visited Cuba in April 2017 and reported a need for a comprehensive package of services for victims, particularly protection and housing.

The government-funded child protection centers and guidance centers for women and families, which served all crime victims, including some trafficking victims. These centers had the ability to screen cases, make referrals to law enforcement, assist with arranging cooperation with law enforcement in preparation for prosecution, and provide victim services. The attorney general created a special Family Protection and Jurisdictional Issues Directorate in 2016 to provide specialized attention to child victims of crime and violence, including trafficking. The FMC continued to receive funding from international organizations and operated centers for women and families nationwide to assist individuals harmed by violence, including victims of sex trafficking. These centers provided services such as psychological treatment, health care, skills training, and assistance in finding employment. Neither the government nor the government-organized NGOs operated shelters or provided services specifically for men who were trafficking victims.

Police encouraged child sex trafficking victims under the age of 16 to assist in prosecutions of traffickers by gathering testimony through psychologist-led videotaped interviews, usually removing the need for children to appear in court. The UN special rapporteur observed the government detained women engaged in prostitution, among them potential sex trafficking victims, for unlawful acts committed as a direct result of being subjected to trafficking. The government reported some foreign trafficking victims in Cuba, but did not report whether it offered these victims repatriation or services.

PREVENTION

The government maintained prevention efforts. The government published its national anti-trafficking plan for 2017-2020 in February 2017, identifying six objectives: (1) Strengthening prevention and identification; (2) protecting victims; (3) promoting research, consolidating and analyzing data, and disseminating such information; (4) investigating and prosecuting traffickers and their accomplices; (5) fostering coordination and cooperation between the government and society; and (6) promoting international cooperation. The government worked across numerous ministries to combat trafficking, including interior, public health, education, external relations, tourism, the Supreme Court, and the attorney general's office, and for the fifth consecutive year published an annual report of its efforts. The UN special rapporteur observed the government did not maintain a permanent inter-ministerial anti-trafficking committee, which led to challenges in coordination across the government and civil society. The government held training sessions for government employees, teachers and school administrators, police officers, tourist industry employees, prosecutors, judges, and parents on prevention and detection of trafficking. The government and the FMC continued to operate a 24-hour telephone line for individuals needing legal assistance, including sex trafficking victims but did not report whether any calls in 2016 led to trafficking investigations or identifying victims. The UN special rapporteur recommended specialized training on trafficking indicators for hotline staff and noted a need for staff to speak multiple languages.

State media continued to produce newspaper articles and television and radio programs to raise public awareness about sex trafficking. The FMC raised public awareness through the magazine "Mujeres," educational talks in five tourism areas and with workers in nightclubs nationwide, and the distribution of flyers, posters, and bumper stickers. Authorities maintained an office within the Ministry of Tourism charged with monitoring Cuba's image as a tourism destination, combating sex tourism, and addressing the demand for commercial sex acts. The Ministry of Tourism also trained law enforcement officials assigned to the tourism sector to identify cases during inspections of state-owned hotels and tourist facilities, leading to the identification of procuring for prostitution cases in 2016. The ministry monitored foreign tour companies and travel agencies, whose employees may be held accountable for marketing the country as a sex tourism destination or for trafficking offenses. Authorities imprisoned

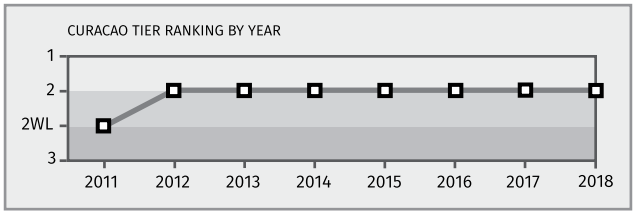
eight foreign nationals for patronizing minors for commercial sex. The government reported training Cuban professionals participating in foreign medical missions on how to identify trafficking, but did not report providing anti-trafficking training for its diplomatic personnel. The Ministry of Labor and Social Security offered training to labor inspectors to detect trafficking and ensure compliance with laws related to working conditions, health, and safety, but did not identify forced labor among the more than 9,000 labor violations in 2016.

TRAFFICKING PROFILE

As reported over the past five years, Cuba is a source, transit, and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking and sex tourism, including child victims, occur within Cuba. Traffickers subject Cuban citizens to sex trafficking and forced labor in South America, the Caribbean, and the United States. Traffickers subject foreign nationals from Africa and Asia to sex trafficking and forced labor in Cuba to pay off travel debts. The government is the primary employer in the Cuban economy, including in foreign medical and other overseas missions that employ more than 84,000 workers in more than 67 countries, including Bolivia, Brazil, Colombia, and Venezuela. These medical missions constitute a significant source of Cuban government income. Some participants in foreign medical missions as well as other sources allege that Cuban officials force or coerce participation in the program; the government has stated the postings are voluntary, and some participants also have stated the postings are voluntary and well-paid compared to jobs within Cuba. The Cuban government acknowledges that it withholds passports of overseas medical personnel in Venezuela; the government provided ID cards to such personnel in place of passports. There are also claims about substandard working and living conditions in some countries. Observers noted Cuban authorities coerced some participants to remain in the program, including by allegedly withholding their passports, restricting their movement, using "minders" to monitor participants outside of work, threatening to revoke their medical licenses, retaliate against their family members in Cuba if participants leave the program, or impose exile if participants didn't return to Cuba as directed by government supervisors. The government uses some high school students in rural areas to harvest crops and does not pay them for their work but claims this work is not coerced.

CURAÇAO: TIER 2†

The Government of Curaçao does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Curaçao remained on Tier 2. The government demonstrated increasing efforts by convicting two traffickers, the first conviction since 2014; approving the 2017-2021 national action plan; identifying more victims; and finalizing the victim referral mechanism. However, the government did not meet the minimum standards in several key areas. Punishment for trafficking offenses were insufficient for the seriousness of the crime and absence of dedicated funding for anti-trafficking efforts hindered the government's ability to effectively assist victims of trafficking.



RECOMMENDATIONS FOR CURAÇAO

Vigorously prosecute trafficking offenses and convict and punish traffickers, including any government officials complicit in trafficking, with effective prison sentences; implement guidelines for proactive victim identification and referral of possible trafficking victims among Venezuelan migrants; increase proactive victim identification efforts among vulnerable populations, such as migrants, foreign women and girls working in prostitution; assist potential victims of sex trafficking and forced labor, including those in prostitution; provide specialized care and assistance for trafficking victims, including male victims; finalize formal victim identification and protection measures to guide officials, including health workers, on assisting victims of forced labor and sex trafficking; fund the new national anti-trafficking action plan; provide targeted training and resources to local officials to conduct outreach to vulnerable migrant communities; raise awareness among migrant workers about their rights, trafficking indicators, and available resources; and enhance efforts to reduce the demand of commercial sex and forced labor.

PROSECUTION

The government slightly increased law enforcement efforts; however, sentences for trafficking offenses were not proportionate to the seriousness of the crime. The criminal penal code criminalized sex and labor trafficking and prescribed penalties ranging from nine to 24 years imprisonment or a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not initiate any new investigations in 2017, compared to the investigation of two sex trafficking cases in 2016 and none in 2015. In 2017, the government prosecuted and convicted two traffickers involved in a 2016 investigation, compared with zero prosecutions or convictions since 2014. Both convicted traffickers received suspended jail sentences and three years of probation, penalties that were inadequate given the severity of the crime. Following the same 2016 investigation, the government prosecuted four allegedly complicit officials; three were convicted for crimes of perjury and forgery receiving a conditional sentence of one year, probation, and suspension from office. The fourth individual was acquitted of all charges of human trafficking although the judge found that he had engaged in objectionable behavior. The government did not report any new investigations of government employees complicit in human trafficking offenses. The investigation of a Venezuelan woman allegedly running an illegal brothel and facilitating the sex trafficking of women, predominantly from Venezuela remained ongoing. In coordination with the government of Aruba, the government trained approximately 120 law enforcement officials and NGOs on the criminal and judicial elements of human trafficking and migrant smuggling and the prosecution of these crimes according to the penal code.

† *Curacao is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, Curacao is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Curacao would be assessed if it were a separate, independent country.*

PROTECTION

The government maintained efforts to identify and assist trafficking victims. It reported identifying five potential victims of trafficking, compared to four in 2016 and zero in 2015. Front-line responders utilized standard operating procedures on victim identification and referral. While the government did not operate any specialized shelters for trafficking victims, it had capacity to host female trafficking victims in shelters for women victims of domestic violence, which restricted victims' movements if their safety was at risk. Through an NGO, the Organization for Victim Assistance funded shelter for male victims in hotels or safe houses for troubled male youth. The government-funded NGOs on a case-by-case basis to provide victims with wide-ranging and comprehensive care and assistance, which included legal assistance, shelter, food, clothing, medical care, and counseling among other services. Government officials reported that absence of dedicated funding for anti-trafficking efforts hindered their ability to provide adequate support to trafficking victims. In 2017, four victims chose not to cooperate with the prosecution and asked to be returned to their country. The government facilitated their return; however, it was unclear if any other assistance was provided. The fifth victim assisted with the investigation and provided written testimony against her traffickers; she received temporary shelter and financial assistance to return to her country of origin. In the victim's absence, the victim's assistance bureau sought restitution from her traffickers on her behalf. Citing insufficient proof of damages, a judge denied the state's request.

PREVENTION

The government increased efforts to prevent trafficking. The government approved the 2017-2021 national action plan but did not establish a dedicated budget for its implementation. During the reporting period, the public prosecutor's office conducted research focused on the phenomenon of Venezuelan *trago meisjes* or drink girls. As a result of this research, the government-funded a robust internet awareness campaign seeking to dissuade Venezuelan women from traveling to Curaçao to work in bars and dance venues where they could become vulnerable to sex trafficking. The government operated a victim assistance hotline, although no trafficking tips were received during the reporting period.

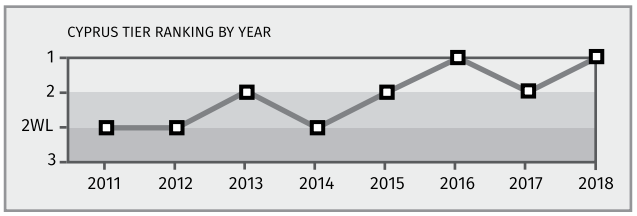
The government continued to keep an official register of individuals in prostitution working legally in Campo Alegre. The Ministries of Justice and Social Development, Labor, and Welfare continued review of all work and residence permits. The Ministry of Labor allowed foreign migrant laborers to request residence permits independent of their employers to give employees better knowledge regarding the terms of work within contracts. The government did not report efforts to reduce demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Curaçao is a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Vulnerable populations include foreign and Curaçaoan women and girls in unregulated prostitution, as well as migrant workers from other Caribbean countries, South America, India, and China in the construction, landscaping, minimarket, retail, and restaurant industries. Due to the deteriorating situation in Venezuela, legal and illegal migration to Curaçao increased, leaving many vulnerable to trafficking, including women working illegally at bars and brothels.

CYPRUS: TIER 1

The Government of the Republic of Cyprus fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Cyprus was upgraded to Tier 1. These achievements included convicting more traffickers and increasing victim protection efforts by improving the quality of service, increasing resources to NGOs, and holding monthly trainings for government-run shelter staff. Although the government meets the minimum standards, it did not reduce the length of trials and victims faced bureaucratic delays in accessing health care. Labor inspectors lacked resources and observers reported a need for an independent evaluation of anti-trafficking policies and programs. The Multidisciplinary Coordinating Group (MCG) continued to operate with limited participation from civil society.



RECOMMENDATIONS FOR CYPRUS

Vigorously investigate, prosecute, and convict traffickers under Law 60(I) and impose strong sentences; proactively identify victims among vulnerable populations, including migrants, asylum-seekers and agricultural workers; improve cooperation of all relevant actors, including NGOs, in the MCG; reduce delays in court proceedings; strengthen the capacity of the labor inspectorate to identify and refer victims of forced labor; reduce delays in accessing health care; increase access to support for victims identified outside of business hours of support service providers; improve victim-centered investigations and prosecutions and implement witness protection measures when necessary; and develop a robust monitoring and evaluation framework for anti-trafficking policies and efforts.

PROSECUTION

The government increased law enforcement efforts. Law 60(I) of 2014 criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes. The police investigated 38 suspected traffickers (26 in 2016); 29 suspects for sex trafficking, five for labor trafficking, and four for both sex and labor trafficking (13 suspects for sex trafficking and 13 for labor trafficking in 2016). The government also investigated four suspects for forced marriage (113 in 2016), which authorities considered to be trafficking under their law. The government prosecuted three defendants (10 in 2016); two defendants for both sex and labor trafficking and one for sex trafficking. Courts convicted eight traffickers (one in 2016); one for sex and labor trafficking and seven for forced labor (one for sex trafficking in 2016). Six labor traffickers received sentences between 12 months and 18 months imprisonment, one trafficker received five years imprisonment for sex and labor trafficking, and one labor trafficker received a fine of €5,000 ($6,000).

The Ministry of Justice and Public Order maintained an anti-

trafficking unit (ATU) that conducted proactive investigations. Observers reported key witnesses left the country before trial due to long delays, hindering prosecution efforts. The Police Academy continued to train police officers on trafficking issues, including new recruits, immigration police, and community police. The government separately organized 18 training programs for police officers. The government extradited one trafficker to Moldova and another to Israel, received two traffickers extradited from Greece, and assisted five mutual legal assistance requests. Additionally, law enforcement conducted joint investigations with Bulgaria, the United Kingdom, and Poland. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government increased victim protection efforts. The government identified 27 victims (21 in 2016); 18 victims of sex trafficking, eight victims of forced labor, and one victim of both sex trafficking and forced labor (10 of sex trafficking, three of forced labor, and eight of forced criminality in 2016); 21 were females and six males (17 females and four males in 2016); and one victim was a boy (no children in 2016). A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services, including an operational manual and written guidance for first responders. The NRM required first responders to conduct preliminary identification of potential victims and refer potential victims to the Social Welfare Services (SWS). SWS officers provided potential victims with information and notified the ATU, who officially identified victims. The ATU interviewed 80 potential victims (169 in 2016); the government identified 64 potential victims, NGOs identified ten, two self-identified, and five were identified by the public (NGOs identified 52 potential victims and the government identified 117 potential victims in 2016). Observers reported the ATU lacked transparency in the identification process, but authorities reported using internal identification manuals based on international standards and guidelines. Specialized personnel in the police anti-trafficking unit, including a forensic psychologist, conducted interviews with potential and identified victims before taking an official statement. Observers reported potential forced labor victims remained undetected partly due to a lack of resources for labor inspectors. Observers also reported a lack of proactive identification efforts at the Kofinou Reception Center and reported anecdotal accounts of exploitation. Authorities reported fully screening all individuals awaiting deportation for trafficking indicators. The government organized three training sessions attended by approximately 220 government officials on victim identification and referral. The government also trained first responders in a region with a high concentration of migrant laborers in agriculture and separately trained marriage officers and social welfare officers on proactive identification.

The government spent €265,770 ($319,060) to operate the SWS-run shelter, compared to €294,940 ($354,070) in 2016. This amount did not include salaries for the SWS-run shelter staff. The government also allocated €263,550 ($316,380), compared to €254,560 ($305,600) in 2016, in financial assistance to trafficking victims through a public benefit scheme known as Guaranteed Minimum Income. SWS evaluated the needs of victims and potential victims and referred them to the appropriate government agencies and NGOs for assistance. SWS operated a specialized shelter for sex trafficking victims and victims of forced marriage with the capacity to accommodate 15 victims; the SWS-run shelter accommodated 30 official and potential victims in 2017 (53 in 2016). Victims may stay for one month or longer, as appropriate, in the shelter for a reflection period. The SWS-run shelter allowed adult victims to leave the shelter voluntarily after an assessment conducted by ATU. Observers reported a lack of immediate support and accommodation for potential victims identified outside of SWS business hours and did not want to cooperate with law enforcement. Observers also reported that slow processing of SWS evaluations sometimes created obstacles for victims to access services. The government signed a memorandum of cooperation with an NGO and allocated €60,000 ($72,030) to the NGO to open the first open house for female sex trafficking victims, designed primarily as a halfway accommodation for recognized sex trafficking victims while searching for permanent residence after leaving the state-run shelter. Additionally, the government allocated €30,000 ($36,000), compared to €15,000 ($18,000) in 2016, to an NGO-run shelter to accommodate female victims of labor trafficking and female victims not eligible for accommodation at the SWS-run shelter, as well as for longer-term accommodation of female victims of sex trafficking after they leave the shelter. The government also provided a rent subsidy and a monthly allowance for all victims and partnered with NGOs to provide apartments for male victims. The law entitled victims to psycho-social services, health care, translation and interpretation services, education, vocational training, and financial assistance. Observers continued to report improved service quality for victims but reported victims faced obstacles in accessing health care due to bureaucratic delays. In the previous reporting period, observers reported staff at the SWS-run shelter were not adequately trained to provide the necessary psychological support to victims; however, the government organized monthly trainings between SWS-run shelter staff and clinical psychologists from the Ministry of Health in 2017. Employment counselors trained to handle sensitive cases sought suitable employment for each victim but finding employment for victims remained a challenge. The law entitled child victims to education, placement into foster homes, and specialized medical and psycho-social care; the government provided support to two one victim (two in 2017). In the previous reporting period, the government streamlined the process for providing financial support to victims and prioritized public benefit applications from trafficking victims. NGOs confirmed all identified victims received a monthly allowance and reported no delays in receiving allowances. Victims received emergency financial assistance in cases of delayed distribution of monthly allowances.

The government voluntarily repatriated or granted residence permits and work authorization to foreign victims including those who decided after their reflection period not to cooperate with the police. The government extended the residence and work permit for three victims (four in 2016) and granted asylum to four victims (three in 2016). The government permitted victims to leave Cyprus and return for trial, and police remained in contact with victims while they were abroad; two victims left Cyprus but returned to testify in trial (one in 2016). The law entitled victims to witness protection through a request made by the police to the Attorney General; no requests were made in 2016 or 2017. Police officers escorted victims to court proceedings, but experts reported police sometimes did not share information and updates on court procedures or did not keep appointments at promised times creating anxiety among victims. The law entitled victims to closed-door trials, a partition to separate victims from their traffickers, remote testimony, and the use of video recorded testimonies for child victims;

however, none of the methods were used in 2016 or 2017. Twenty-six victims assisted law enforcement in investigations (14 in 2016). Victims can receive restitution through civil suits; the government covered travel and accommodation expenses for a victim to testify in the first civil case against a trafficker but civil courts acquitted the trafficker.

PREVENTION

The government maintained prevention efforts. The MCG to combat trafficking, comprising relevant government agencies and an NGO, met once (twice in 2016) and coordinated and monitored the implementation of the 2016-2018 national action plan; however, observers reported a need for an independent evaluation of anti-trafficking policies and programs. In the previous reporting period, three of the four NGOs in the MCG withdrew because NGOs were not given a substantive role, meetings were infrequent, and two NGOs did not meet financial requirements. The MCG drafted amendments to strengthen civil society participation in the MCG. The MCG formed a working group on improving victim protection. The government continued to print and distribute brochures in 11 languages aimed at potential victims on their rights and assistance available to them. Police and immigration officials interviewed arriving domestic and agricultural workers and ensured they possessed a contract and informed workers of their rights. The Ministry of Labor (MOL) inspected 122 employment agencies (117 in 2016) and revoked the licenses of 10 employment agencies' for labor violations (nine in 2016). MOL also imposed fines on three employment agencies for fraudulent recruitment and police separately investigated three cases involving employment agencies. Courts convicted four perpetrators in one case for illegally operating an employment agency and document forgery; one perpetrator received two years imprisonment, one received 12 months imprisonment, one received 15 months imprisonment, and one received five months imprisonment. The government approved funding for an NGO to conduct awareness campaigns targeting demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, Cyprus is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Victims identified in Cyprus were from India, Latvia, Bangladesh, Dominican Republic, China, Bulgaria, Romania, Philippines, Cameroon, Cote d'Ivoire, Slovakia, Togo, Moldova, Paraguay, and Czech Republic. Women, primarily from Eastern Europe, Vietnam, India, and Sub-Saharan Africa, are subjected to sex trafficking. Sex trafficking occurs in private apartments and hotels, on the street, and within commercial sex outlets in Cyprus including bars, pubs, coffee shops, and cabarets. Some female sex trafficking victims are recruited with false promises of marriage or work as barmaids or hostesses. Foreign migrant workers—primarily from South and Southeast Asia—are subjected to forced labor in agriculture. Migrant workers subjected to labor trafficking are recruited by employment agencies and enter the country on short-term work permits; after the permits expire, they are often subjected to debt bondage, threats, and withholding of pay and documents. Asylum-seekers from Southeast Asia, Africa, and Eastern Europe are subjected to forced labor in agriculture and domestic work. Unaccompanied children, children of migrants, Roma, and asylum-seekers are especially vulnerable to sex trafficking and forced labor. Romani children are vulnerable to forced begging.

AREA ADMINISTERED BY TURKISH CYPRIOTS

The northern area of Cyprus is administered by Turkish Cypriots. In 1983, the Turkish Cypriots proclaimed the area the independent "Turkish Republic of Northern Cyprus" ("TRNC"). The United States does not recognize the "TRNC," nor does any other country except Turkey. The area administered by Turkish Cypriots continues to be a zone of impunity for human trafficking. Turkish Cypriot authorities do not fully meet the minimum standards for the elimination of trafficking and are not making significant efforts to do so. If the "TRNC" were assigned a formal ranking in this report, it would be Tier 3. Turkish Cypriots did not keep statistics on law enforcement efforts against trafficking offenders. The area administered by Turkish Cypriots lacked shelters for victims and social, economic, and psychological services for victims. Local observers reported authorities were complicit in facilitating trafficking, and police continued to retain passports upon arrival of women working in nightclubs. The "Nightclubs and Similar Places of Entertainment Law of 2000" provided the most relevant legal framework vis-à-vis trafficking and stipulated nightclubs may only provide entertainment such as dance performances. Additionally, trafficking-related cases would be tried under the "TRNC criminal code," which prohibited living off the earnings of prostitution or encouraging prostitution and forced labor. However, Turkish Cypriots rarely enforced this law and rarely prosecuted nightclub owners, bodyguards, or clients. In October 2017, the owner of a "nightclub" was arrested and on trial for "encouraging prostitution" and "living off the earnings of prostitution." Additionally, in February 2018, the Mayor of Nicosia Turkish Municipality closed four "nightclubs" citing absence of established "legal" frameworks and reports of sexual exploitation. The authorities made no efforts to punish labor recruiters or brokers involved in the recruitment of workers through knowingly fraudulent employment offers or excessive fees for migration or job placement. There was no "law" that punished traffickers who confiscate workers' passports or documents, change contracts, or withhold wages to subject workers to servitude.

Turkish Cypriot authorities did not allocate funding to anti-trafficking efforts, police were not trained to identify victims, and authorities provided no protection to victims. Police confiscated passports of foreign women working in nightclubs and issued them identity cards, reportedly to protect them from abuse by nightclub owners who confiscated passports. Observers reported women preferred to keep their passports but police convinced them to render passports to avoid deportation. Foreign victims who voiced discontent about the treatment they received were routinely deported. Trafficking victims serving as material witnesses against a former employer were not entitled to find new employment and resided in temporary accommodation arranged by the police, but experts reported women were accommodated at nightclubs. The Turkish Cypriot authorities did not encourage victims to assist in prosecutions against traffickers, and all foreign victims were deported. If the police requested a victim to stay to serve as a witness, the police were required to provide temporary accommodation; however, the only shelter for trafficking victims closed in July 2016.

During the reporting period, "TRNC" authorities issued 1,084 six-month "hostess" and "barmaid" work permits for individuals working in nightclubs and two pubs operating in the north (1,314 in 2016). As of January 2018, there were 400 women working under such permits (342 as of January 2017). Nightclub owners hired female college students during the reporting period to bypass the cap on the number of employees legally permitted in each club and avoid taxes and monitoring. Observers reported

authorities did not consistently document the arrival of women intending to work in nightclubs. Most permit holders came from Moldova, Morocco, Belarus, Russia and Ukraine, while others came from Armenia, Kazakhstan, Kenya, Kyrgyzstan, Paraguay, Tajikistan, Tanzania, and Uzbekistan. Reportedly some "parliament" members were clientele of the nightclubs. Women were not permitted to change location once under contract with a nightclub, and Turkish Cypriot authorities deported 331 women (445 in 2016) who curtailed their contracts without screening for trafficking. While prostitution is illegal, female nightclub employees were required to submit to weekly health checks for sexually transmitted infections, suggesting recognition and tacit approval of the prostitution industry. Victims reported bodyguards at the nightclubs accompanied them to health and police checks, ensuring they did not share details of their exploitation with law enforcement or doctors. The "law" that governed nightclubs prohibited foreign women from living at their place of employment; however, most women lived in dormitories adjacent to the nightclubs or in other accommodations arranged by the owner. The "Nightclub Commission," composed of "police" and "government officials" who regulate nightclubs, prepared brochures on employee rights and distributed them to foreign women upon entry. The "Nightclub Commission" met monthly and made recommendations to the "Ministry of Interior" regarding operating licenses, changes to employee quotas, and the need for intervention at a particular establishment. The "Social Services Department" in the "Ministry of Labor" continued to run a hotline for trafficking victims; however, it was inadequately staffed by one operator who had not received any training on trafficking. An expert reported trafficking victims were afraid to call the hotline because they believed it was linked to authorities. Forty-seven female "nightclub" workers were repatriated after having sought help from the authorities due to complaints regarding their working conditions (30 in 2016). During the reporting period, the "TRNC" issued 945 work permits to domestic workers (2,383 in 2016). Turkish Cypriots made no efforts to reduce demand for commercial sex acts or forced labor.

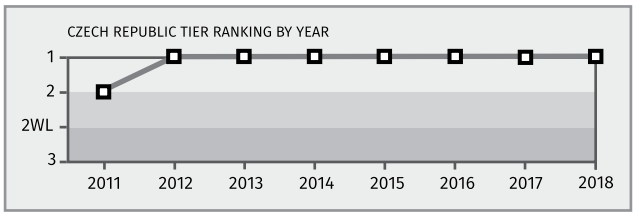
The "TRNC" is a destination for women from Central Asia, Eastern Europe, and Africa who are subjected to forced prostitution in nightclubs licensed and regulated by the Turkish Cypriot administration. Nightclubs provide a significant source of tax revenue for the Turkish Cypriot administration; media reports estimated nightclub owners pay between 20 and 30 million Turkish lira ($5.3 million and $7.9 million) in taxes annually. This presents a conflict of interest and a deterrent to increased political will to combat trafficking. Men and women are subjected to forced labor in industrial, construction, agriculture, domestic work, restaurant, and retail sectors. Victims of labor trafficking are controlled through debt bondage, threats of deportation, restriction of movement, and inhumane living and working conditions. Labor trafficking victims originate from Nigeria, Zimbabwe, China, Pakistan, Philippines, Turkey, Turkmenistan, and Vietnam. Migrants, especially those who cross into the Turkish Cypriot community after their work permits in the Republic of Cyprus have expired, are vulnerable to labor trafficking. Roma children and Turkish seasonal workers and their families are also vulnerable to labor exploitation. Women issued permits for domestic work are vulnerable to forced labor. Men and women enrolled as university students, particularly from Sub-Saharan African countries, are vulnerable to sex trafficking and forced labor. As in previous years, observers reported a number of women entered the "TRNC" on three-month tourist or student visas and engaged in prostitution in apartments in north Nicosia, Kyrenia, and Famagusta; some may be trafficking victims. Migrants, asylum-seekers, refugees, and their children are also at risk for sexual exploitation.

RECOMMENDATIONS FOR TURKISH CYPRIOT AUTHORITIES:

Enact "legislation" prohibiting all forms of human trafficking; screen for human trafficking victims, including in nightclubs and pubs; increase transparency in the regulation of nightclubs and promote awareness among clients and the public about force, fraud, and coercion used to compel prostitution; provide funding to NGO shelters and care services for the protection of victims; investigate, prosecute, and convict "officials" complicit in trafficking; provide alternatives to deportation for victims of trafficking; and acknowledge and take steps to address conditions of forced labor, including among domestic workers.

CZECH REPUBLIC: TIER 1

The Government of the Czech Republic fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Czech Republic remained on Tier 1. The government demonstrated serious and sustained efforts by increasing convictions, providing comprehensive care for victims, and successfully encouraging victim cooperation with law enforcement. Although the government meets the minimum standards, judges and prosecutors continued to enforce trafficking legislation unevenly and sometimes prosecuted trafficking crimes under the pimping statute when they involved initial victim consent. In some cases, the courts suspended the sentences of convicted traffickers, weakening the deterrent effect of the penalties. The government identified fewer trafficking victims, and labor inspectors remained underutilized in victim identification efforts.



RECOMMENDATIONS FOR CZECH REPUBLIC

Vigorously investigate both sex and labor trafficking, particularly at the regional level; prosecute suspected offenders of both sex and labor trafficking, using the anti-trafficking statute, and imprison convicted traffickers; increase training for prosecutors and judges on the severity of the crime and on applying the anti-trafficking statute to protect victims and ensure convictions result in proportionate and dissuasive sentences; train prosecutors and judges on the irrelevance of a victim's initial consent when proving a trafficking crime; improve law enforcement data collection efforts, including by disaggregating sex and labor trafficking case data and report victim data more accurately; expand authority of labor inspectors to go beyond inspection of labor documents when investigating trafficking; increase specialized case management services for children and streamline procedures for identification of child victims; enhance collaboration between the labor inspectorate and police on investigating potential labor trafficking cases; improve victims' ability to access court-ordered restitution; and train first responders, including labor inspectors, police, and

state contracting officers, on sex and labor trafficking victim identification criteria and on evolving trends in labor trafficking.

PROSECUTION

The government maintained law enforcement efforts. Section 168 of the criminal code criminalized sex and labor trafficking and prescribed punishments from two to 10 years imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government prosecuted some sex trafficking offenses as pimping crimes under sections 189 and 204 of the criminal code when the case involved the initial consent of a victim; this application of the law was inconsistent with its commitments under Directive 2011/36/EU, the Council of Europe Convention on Action against Trafficking in Human Beings, and the Palermo Protocol. Section 189 prescribed penalties ranging from six months to four years imprisonment, a ban on business activities, or a sentence of forfeiture of property, which were significantly lower than the penalties prescribed under section 168.

In 2017, police initiated 16 trafficking investigations (22 in 2016), including investigating three minors for trafficking crimes. Authorities prosecuted 16 defendants under section 168 in 2017, compared with 19 in 2016. In 2017, the courts convicted eight for sex trafficking and one for labor trafficking (eight total convictions in 2016 and 19 in 2015); all perpetrators were Czech. Courts sentenced six traffickers to prison ranging from five- to eight-year terms. Judges fully suspended the sentences of three convicted traffickers (one for one year imprisonment and two for two years imprisonment). The government investigated 42 individuals for pimping; it was not clear whether any of these involved sex trafficking crimes. Courts sentenced 23 perpetrators of pimping to suspended sentences (21 under section 189 and two under section 204), and from these 23 cases, reported identifying 13 victims. The government seized 630,000 koruna ($30,170) in assets from suspected traffickers, comparable to 730,000 koruna ($34,950) seized in 2016. Authorities collaborated with foreign governments on one transnational investigation. The Labor and Social Affairs Ministry (MLSA) began an investigation into labor practices at massage parlors that employ Thai workers, after the Thai embassy reported two Thai employees were not paid the promised amount, a trafficking indicator. The government trained more than 250 law enforcement officials, labor inspectors, prosecutors, and judges involved in investigating and prosecuting human trafficking crimes, on par with training efforts in 2016.

The organized crime branch of the police was the lead investigative agency for trafficking; regional police were responsible for smaller-scale cases. Regional police directorates generally chose to devote their limited resources to fighting other types of crime, especially crimes deemed easier to solve and providing a greater opportunity for successful prosecution. The Ministry of Interior (MOI) released an updated manual in March 2018 to assist with victim identification. In 2017, the national labor inspectorate identified approximately 2,900 illegally employed persons, but did not identify any trafficking victims. Officials cited limited authority of labor inspectors to go beyond inspection of labor documents. Authorities reported the need for better collaboration between regional police and labor inspectors, as well as enhanced training for inspectors on labor trafficking indicators. Observers reported prosecutors and judges pursued trafficking cases unevenly due to lack of familiarity with the elements of the crime, unfamiliarity with obligations under international law regarding the irrelevance of victim consent, and a preference to prosecute traffickers for non-trafficking crimes to increase the likelihood of conviction, since Czech law did not allow prosecutors to prosecute under multiple statutes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. Police identified 14 victims during the reporting period (38 victims in 2016, 92 victims in 2015, and 67 in 2014), including 10 minor victims, but the police may not have reported the accurate number of victims they identified since Czech law did not require reporting on victims. The government did not officially recognize victims who did not participate in the MOI's victim assistance program and did not include them in official statistics. The MOI reported 24 new victims (17 labor trafficking and seven sex trafficking) in the program for victim services (14 victims in 2016, four in 2015, and 43 in 2014). Of the victims in the program, nine were Czech, five Ukrainian, five Moldovan, two Filipino, one Slovak, one Nigerien, and one Vietnamese. In 2017, government-funded NGOs provided services to 137 potential victims, compared to 139 in 2016.

The MOI program, which was administered by an NGO, was available to both foreign and Czech adult victims of sex and labor trafficking regardless of their legal status and required victims cooperate with law enforcement if they want to stay in the program after 60 days of support, unless subject to a serious health issue. Victims willing to cooperate with law enforcement, even in situations where law enforcement did not pursue a case, could enter the program and be eligible for long-term residency. The government provided medical care, psychological and crisis counseling, housing, legal representation, vocational training, and other specialized services to victims in the program. Victims could voluntarily withdraw from the program at any time. Victims unwilling to cooperate with law enforcement were eligible to access MLSA-funded welfare benefits, including housing, in-person and telephone crisis help, social counseling and rehabilitation, a drop-in center for children and youth, and social services for families with children. The MOI-funded NGO managed these benefits for trafficking victims. Only legal residents could access the welfare program, but NGOs could provide most of the services anonymously; therefore, legal status was not usually a limitation for support. Although there was a unique national referral mechanism for child and youth victims, observers reported identification procedures were insufficient. Municipal-level offices of the department of social and legal protection of children made decisions to place children with an institution or NGO based on their specific needs. Child victims received MLSA-funded welfare benefits, such as shelter, food, clothing, and medical and psychological counseling. During legal proceedings, victims were eligible to receive a free legal advocate and, in egregious sex trafficking cases, the option to choose the gender of the judge. A witness protection law allowed the government to conceal the identity of the witness, provide a new identity to the victim, and assign bodyguards. Police offered short-term protection, including physical protection, use of safe houses, and security monitoring, to potential witnesses; the government did not report whether any victim received protection during the reporting period.

The MOI funded the cost for the victim assistance program, which included funding for voluntary returns. In 2017, the MOI allocated approximately 1.65 million koruna ($79,000), compared to 1.2 million koruna ($57,460) allocated in 2016.

An international organization used some of this funding to repatriate six victims. Observers commended the government for funding the repatriation of Czech victims and foreigners, but reported government funding for voluntary returns was insufficient given the demand. The MLSA provided an additional 27.5 million koruna ($1.3 million) to support the integration of foreigners and victims of trafficking, which included funding for welfare benefits provided by NGOs to trafficking victims not in the MOI program. Some experts noted a lack of funding for victim housing, especially female victims with more than one child.

Authorities provided victims with a 60-day reflection period, during which victims received care and determined whether to cooperate with law enforcement; victims with a medically recognized disability, including trauma, received an additional 30 days. Under the law, victims could not be deported, arrested, or fined for offenses that were committed as a result of being trafficked, such as previous illegal stays in the country, current overstays, or false documents, during this period. Foreign victims accepted into the victim care program by MOI's crime prevention department could receive temporary residence and work visas for the duration of relevant legal proceedings. Upon conclusion of court proceedings, victims could apply for long-term residency; no new victims received long-term residency in 2017, compared with one victim in 2016 and none in 2015.

Some experts criticized the Refugee Facility Administration (RFA) for charging a daily fee to some migrants for stays in transit zones; such fees increase the vulnerability of potential victims. The RFA implemented a system where potential victims identified in an entrance interview for asylum-seekers were removed from the transit zone and referred to NGOs for services; the RFA did not report identifying any victims in the transit zones.

Victims had the legal option of seeking court-ordered compensation from their traffickers in both civil and criminal proceedings, although such restitution was rare as victims often feared retribution from their traffickers during criminal cases and could not afford attorney fees for a civil suit. To seek civil damages, the law required a finding of criminal misconduct against the defendant. The government did not report any victims who received compensation in 2016 or 2017. NGOs reported concern about potential trafficking victims in custody, but there were no reports the government penalized identified victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained prevention efforts. The MOI chaired an inter-ministerial body that coordinated national efforts and implemented the 2016-2019 national strategy. A unit in the MOI served as the national rapporteur and prepared a comprehensive annual report on patterns and programs, which it released publicly. The government continued to fund an NGO-run hotline to identify victims of trafficking and domestic violence, which operated six hours per day on weekdays. The law did not criminalize confiscation of workers' passports. MOI funds from the 1.65 million koruna ($79,000) for the victim assistance program were available for prevention campaigns and field work; the government-funded NGOs to conduct a public awareness campaign targeted at individuals vulnerable to trafficking and exploitation, which involved leaflets distributed on public transit and advertisements posted in subway stations. Regulations imposed on employment agencies recruiting short-term labor from abroad helped reduce vulnerabilities to trafficking; however, they did not prevent unregistered agencies from luring victims from overseas, or registered agencies from engaging in trafficking of victims within Czech Republic. To increase foreign workers' awareness of their rights, the MLSA and the labor inspection office websites published information in multiple languages about laws governing the employment of foreigners. In cooperation with the Thai embassy, the MLSA conducted a training on labor rights for Thai nationals working in massage parlors.

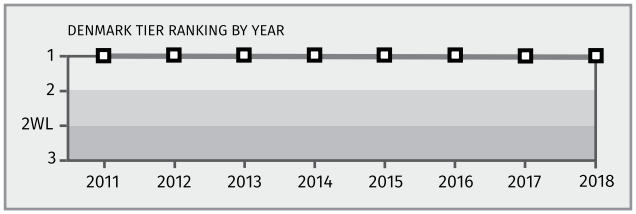
TRAFFICKING PROFILE

As reported over the past five years, Czech Republic is a source, transit, and destination country for women and children subjected to sex trafficking and a source, transit, and destination country for men and women subjected to forced labor. Women, girls, and boys from Czech Republic, Slovakia, Ukraine, Romania, Bulgaria, Nigeria, the Philippines, and Vietnam are subjected to sex trafficking in Czech Republic and also transit through Czech Republic to other European countries where they are subjected to sex trafficking. Men and women from Czech Republic, Ukraine, Romania, Bulgaria, Moldova, Mongolia, Nigeria, the Philippines, Russia, and Vietnam are subjected to forced labor in Czech Republic, typically through debt bondage, in the construction, agricultural, forestry, manufacturing, and service sectors, including in domestic work. They may also transit through Czech Republic to other countries in Europe where they are exploited. Most identified victims in the country are Czech, although law enforcement reported an increase in EU victims. Romani women from Czech Republic are subjected to forced prostitution and forced labor internally and in destination countries, including the UK. Most traffickers are Czech citizens, and foreign traffickers often recruit victims from their own home countries and work in cooperation with local Czech citizens. Law enforcement report an increase in "marriages of convenience" between Czech women and non-EU men that involve sex trafficking. Private, unregistered labor agencies often used deceptive practices to recruit workers from abroad as well as from inside the country.

DENMARK: TIER 1

The Government of Denmark fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Denmark remained on Tier 1. The government demonstrated serious and sustained efforts by continuing to implement its 2015-2018 national action plan and allocating significant funding for anti-trafficking measures. For the second year in a row, the government provided trafficking victims temporary residence under section 9(c)5 of the Danish Aliens Act, which gives authorities the ability to stay deportation for victims to assist in an investigation. Although the government meets the minimum standards, it continued to focus on foreign trafficking victims' illegal immigrant status, often incarcerating them during review of their status and repatriating non-EU resident victims to their countries of origin without proper screening. This impeded the ability of law enforcement to pursue traffickers, left victims vulnerable to re-trafficking, and made victims hesitant to come forward and work with police. Victim identification methods were difficult to implement and involved NGO partners too late in the process. In the last six years, only five victims had been

granted asylum, despite the government officially identifying more than 500 victims; one victim was granted asylum during the reporting period.



RECOMMENDATIONS FOR DENMARK

Increase incentives for all victims to cooperate in the prosecution of traffickers, including by permitting temporary residency for victims while they assist law enforcement; more vigorously prosecute trafficking offenses and convict sex and labor traffickers; sentence traffickers in accordance with the gravity of the offense; cease penalization of victims for crimes committed as a direct result of being subjected to trafficking, such as migration offenses, including assessing if new guidelines concerning withdrawal of charges against trafficking victims prevent their penalization and detention; strengthen and streamline victim identification procedures, including expanding law enforcement efforts to proactively identify and expeditiously transfer potential trafficking victims, especially those without legal status, from police or immigration custody to crisis centers or care providers to facilitate trust among this vulnerable group; and solicit input from NGOs in the planning process of the 2019-2021 national action plan.

PROSECUTION

The government maintained law enforcement efforts. Section 262(a) of the criminal code criminalized sex and labor trafficking and prescribed punishments of up to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2016, the government reassigned a large number of police units to border security duties due to the refugee crisis, and NGOs reported this continued to hinder the number of officers available to conduct trafficking investigations. Authorities investigated four trafficking cases in 2017, a decrease from 25 in 2016. The government initiated prosecutions of two trafficking suspects, compared with three in 2016. Courts convicted nine traffickers in 2017, a decrease from 17 in 2016. Sentences ranged from 2 years to 7 years and 11 months of imprisonment. Experts reported few trafficking cases were brought to trial because of the lack of incentives for victims to participate in the investigation of their traffickers, such as residency permits for victims. Authorities continued cooperation with Romanian authorities in one transnational investigation, and the defendant was convicted in Denmark, receiving a 7-year prison sentence in January 2018. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The national action plan directed the government's Center Against Human Trafficking (CMM) to provide police with instructions on trafficking at the police academy and additional training for police who become investigators, but police reported this training did not occur on a regular basis. CMM was also responsible for providing training on trafficking to additional government officials, including judges.

PROTECTION

The government maintained efforts to protect victims, but did not make improvements concerning detention of potential victims or the forced repatriation of undocumented victims. Authorities identified 98 trafficking victims in 2017, compared with 121 victims in 2016. Of these, 86 were sex trafficking victims, one was labor trafficking, five were forced to commit crimes, three were trafficked for other forms of exploitation, and three were not registered. Eight victims were men, 86 were women, and four identified as transgender. Three of the identified victims were minors (one of sex trafficking, one of forced criminal activity, and one of which the type of trafficking was not registered), compared with eight in 2016. Of those identified, one was Danish, compared with zero in 2016. Government guidelines for identifying victims required the involvement of multiple government and law enforcement agencies, requiring several interviews of victims who were kept in detention before referral to NGOs. The government maintained a list of indicators for police to reference for initial identification and procedures to guide officials in proactive victim identification. Each police district appointed a trafficking expert, and when police suspected they had a victim in custody, they were required to call CMM to interview suspected victims. CMM was responsible for formal identification of victims of Danish or EU origin or who were documented migrants, and immigration services were responsible for formal identification of undocumented migrant victims following the initial CMM interview. Officials had the authority to detain potential victims for 72 hours and could extend this period when more time was needed to determine victim status or immigration status, or to identify traffickers. NGOs continued to note the onus of victim identification remained on trafficking victims rather than officials' proactive identification and highlighted that many victims came from communities that distrust law enforcement, making them unlikely to voluntarily identify themselves. NGOs also reported language barriers and a lack of cross-cultural understanding during the interview and judicial processes, which resulted in the alienation of many victims, particularly among an increased number of victims from Nigeria. NGOs stated victim identification methods were convoluted and involved NGO partners too late in the process, and authorities were incentivized by current laws and the complex identification process to treat trafficking victims as illegal immigrants subject to penalization. In 2016, the Danish Institute for Human Rights stated victims had been incarcerated pending review of their immigration status and as part of the process for identifying their traffickers. The government continued to distribute guidelines to the police and prosecution service on the withdrawal of charges against victims for crimes committed as a result of being subjected to trafficking; some observers reported increased willingness by prosecutors to drop charges against trafficking victims.

Following identification, CMM offered assistance to all victims, including information on undocumented victims' options for voluntary return, asylum, or humanitarian residence. In 2017, 88 victims accepted support and were referred to government care facilities. Government-operated and government-funded NGO facilities provided trafficking victims medical and psychological care, shelter, and financial, legal, and reintegration assistance, regardless of gender, disability, origin, or immigration status. Shelter provided was separated by gender and age, with adults able to leave shelters unaccompanied and at will. Although these trafficking-specific services existed, victims were sometimes housed with asylum-seekers and refugees. The Danish Red Cross assisted unaccompanied children and child victims in another facility partially funded by the government. Victims were not

permitted to seek employment while receiving assistance, but they could apply for compensation through a state fund and through civil suits against their traffickers; the government did not report if victims pursued these in 2017.

The government provided undocumented trafficking victims a 30-day "extended time limit for departure" (with extension up to 120 days) as part of its prepared return program for trafficking victims ordered to leave Denmark; the prepared return gave victims a specified period of time to receive services before their eventual deportation. Regional anti-trafficking experts, including the Council of Europe, emphasized this period did not refer to a period of reflection and recovery necessary to determine whether victims will cooperate in the investigation of their cases; rather it was a period of time the victims had to cooperate in their repatriation. In 2016, the Council of Europe criticized Denmark for failing to honor the required 120-day period of recovery and reflection prior to deportation of trafficking victims. The government provided those who accepted the prepared return with up to six months temporary residency and training to prevent re-trafficking. The reflection period and prepared return did not provide means for victims to seek employment, but also did not prevent victims who were legally allowed to work from seeking employment. Victims who participated in the prepared return also had freedom of movement, and largely remained in shelter accommodations provided after their formal identification. In 2017, 13 trafficking victims accepted a prepared return (12 in 2016). Regardless of whether foreign victims accepted the prepared return, the government provided 50,000 kroner ($8,060) to victims when they were deported. Authorities deported undocumented victims who did not accept a prepared return unless they were assisting in the prosecution of a trafficker. In 2017, immigration services granted temporary residency permits to two identified victims and one potential victim under section 9(c)5 of the Danish Aliens Act, based on their cooperation with police on ongoing investigations and prosecutions. The government also granted one victim an asylum residency permit in 2017. Some victims chose not to participate in the program, reportedly based on the perception it was merely a preparation for deportation. Victims' debt bondage to their traffickers and lack of protection in their home countries served as significant deterrents from accepting the prepared return. The effective lack of alternatives to removal impeded the ability of law enforcement to pursue traffickers and left victims vulnerable to re-trafficking. NGOs reported the threat of deportation prevented victims from coming forward and led some identified victims to leave shelters before the conclusion of police investigations or court proceedings in order to evade deportation.

PREVENTION

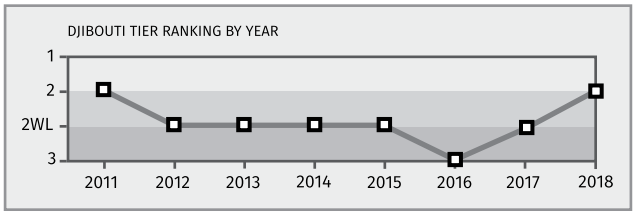
The government maintained prevention efforts. In addition to 88.3 million kroner ($14.2 million) allotted for its 2015-2018 national action plan for trafficking protection and prevention programs, and 9.4 million kroner ($1.5 million) allocated in 2016 to counter-trafficking efforts through 2020, in 2017, the Danish Parliament allocated 63 million kroner ($10.1 million) for the 2019-2021 national action plan currently in the planning phase. However, NGOs reported concerns their input had not been sought in the most recent planning meetings for the 2019-2021 plan, despite inclusion of NGO input in the previous plan. The government had a protocol to provide training on trafficking to diplomatic and consular staff, but did not provide any such training during the reporting period. The government conducted training for health service providers at clinics, shelters, and hospitals on how to identify trafficking victims and notify authorities. Authorities continued to train tax and labor inspectors on labor trafficking indicators. Authorities maintained guidelines for the hospitality sector to assist employers in the prevention of labor exploitation. Authorities conducted public information campaigns aimed at curbing demand for trafficking and provided public education about the signs of possible trafficking; however, CMM reported its plans to end this outreach due to an inability to evaluate awareness campaign effectiveness. CMM operated a hotline for reporting trafficking cases in both Danish and English; in 2016, the most recent period for which statistics were available, the hotline received 398 calls, and one victim was identified. The government did not make efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Denmark is primarily a destination and transit country for men, women, and children subjected to forced labor and sex trafficking from Eastern Europe, Africa, Southeast Asia, and Latin America. Migrants are subjected to labor trafficking in construction, agriculture, domestic service, restaurants, hotels, and factories through debt bondage, withheld wages, abuse, and threats of deportation. Unaccompanied migrant children are vulnerable to sex trafficking and forced labor, including drug trafficking, theft, and other forced criminality. Copenhagen's relatively small red-light district represents only a portion of prostitution in the country, which includes sex trafficking in brothels, bars, strip clubs, and private apartments. The rise in migrants, asylum-seekers, and refugees entering and transiting Denmark has increased the size of the population vulnerable to human trafficking, though more recently, the number of asylum-seekers and refugees has declined, and the number of victims from Nigeria has increased.

DJIBOUTI: TIER 2

The Government of Djibouti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made increasing efforts during the reporting period; therefore Djibouti was upgraded to Tier 2. The government demonstrated increasing efforts by achieving its first ever trafficking conviction and investigating and prosecuting more trafficking cases over the previous reporting period. Government officials also independently identified and referred seven trafficking victims to protective services. The government appointed two ministerial advisors to streamline law enforcement efforts and improve intragovernmental anti-trafficking coordination. However, the government did not meet the minimum standards in several key areas. The government remained without an overnight shelter to host trafficking victims among vulnerable street children and young migrants. Limited coordination and understanding of trafficking among officials continued to impede anti-trafficking investigations and prosecutions. The government did not fully operationalize its national action plan to combat trafficking for the third consecutive year, and victim identification efforts were mostly conducted on an ad hoc basis despite having a formal mechanism in place.



RECOMMENDATIONS FOR DJIBOUTI

Strictly enforce the anti-trafficking law through investigations and prosecutions of trafficking offenders; widely implement standardized procedures for government personnel to proactively identify potential victims and transfer them to care; continue to expand protective services for victims through partnerships with NGOs or international organizations, and provide protection services as mandated by the anti-trafficking law; open or permit NGOs to operate a 24-hour shelter for all trafficking victims, specifically targeting vulnerable street children; continue to train judges, prosecutors, and police on the distinctions between trafficking and migrant smuggling; implement the extended national action plan; continue the mandatory training program for new police and border guards; and develop and launch a nationwide anti-trafficking awareness campaign.

PROSECUTION

The government increased its law enforcement efforts to combat trafficking. The 2016 Law No. 133, On the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, criminalized labor and sex trafficking; it prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The law considered the involvement of a minor or if a victim was forced into prostitution as aggravating circumstances for which the penalties increased to 20 years imprisonment. Law No.111, Regarding the Fight Against Terrorism and Other Serious Crimes of 2011, remained in effect and also prohibited labor and sex trafficking, and prescribed penalties of 10 to 15 years imprisonment, which were also sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. These two similar laws have some divergent definitions and penalties, which at times caused confusion that sometimes hampered law enforcement, prosecutorial, and judicial officials' ability to effectively prosecute suspected traffickers.

During the reporting year, the government investigated 250 potential trafficking cases; while an increase from nine trafficking cases the previous year, this number also included many trafficking-related crimes like smuggling or domestic abuse. While the government reported prosecuting nine suspected traffickers in six cases, all under the 2016 anti-trafficking law, judges convicted all defendants for smuggling due to insufficient evidence to prove trafficking indicators; it prosecuted and convicted on smuggling charges 10 suspected traffickers in seven cases in the previous reporting period. However, for the first time, the government convicted one individual for forced labor under the 2016 anti-trafficking law, from a case that commenced in July 2013; officials handed down a 20-year prison term during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses in 2017.

During the reporting period, the government appointed a deputy prosecutor to streamline and ensure effectiveness of all anti-trafficking law enforcement efforts, and the justice ministry added a senior advisor position focused solely on trafficking, in an attempt to increase the number of trafficking cases investigated and prosecuted and strengthen coordination of trafficking efforts, respectively. In addition, Djibouti's police chief created a new unit to investigate child begging, including children forced to do so; the unit investigated an unspecified number of cases during the reporting period. The government continued to provide in-kind contributions to support anti-trafficking trainings facilitated and funded by international organizations. In 2017, an unknown number of law enforcement academy instructors and justice officials participated in two separate training programs, conducted by an international organization, which focused on effective trafficking investigations and intragovernmental coordination, and proper victim interviewing techniques. Additionally, each law enforcement academy in Djibouti maintained training on recognizing trafficking cases, which were incorporated into basic orientation courses. Prosecutorial and justice officials with trafficking expertise provided training to their interagency colleagues on how to differentiate trafficking and smuggling cases, and how to appropriately handle such cases. In a specific example, these trained stakeholders briefed health professionals and other front-line responders on specific trafficking indicators they might encounter and to what entity they should report.

PROTECTION

The government increased efforts to protect trafficking victims. For the first time, authorities identified and referred to care seven trafficking victims without assistance from any international organizations by employing its formal identification and referral procedures. In addition, the government reported repatriating and assisting a small number of families with children subjected to trafficking in Yemen or Libya. The government continued to grant authority to one international organization to conduct trafficking screenings of all transiting migrants and partnered with this entity to provide water, food, and temporary shelter for roughly 1,300 during the reporting period. The government also broadly provided support, in conjunction with international organizations, to more than 40,000 vulnerable migrants, many of whom were potential trafficking victims. Justice officials widely disseminated several documents to relevant government and civil society stakeholders across the country on the national referral mechanism and how to identify trafficking cases. However, officials outside of the justice ministry and some law enforcement personnel were unaware of the standardized mechanism for identifying and referring victims to care, but rather opted to use trusted points of contact to guide them in managing potential trafficking cases.

Djibouti remains without a shelter specifically for trafficking victims. Nonetheless, during the reporting period, the government provided land for a new Migrant Response Center (MRC) in Khor Angar—an office and short-term living quarters staffed and operated by an international organization along a route near Yemen heavily traversed by migrants; it also maintained two other MRCs in Obock and Loyada. In 2017, the Ministry of Health signed an agreement with an international organization to fund three full-time doctors and three nurses—trained on spotting trafficking indicators—stationed across the country to support migrants and vulnerable Djiboutians. Also during the year, health officials, in partnership with an international organization, launched five mobile clinics in Djibouti's critical regions to provide care for the more than 300 Ethiopians who transited Djibouti daily to reach Gulf States.

The government allocated more than 90 million Djiboutian francs ($508,475) to relevant ministries, MRCs, transit centers, and local NGOs, which operated counseling centers and other programs that assisted potential trafficking victims during the year; it did not report its funding amount during the previous reporting period. The 2016 anti-trafficking law's provisions for establishment of victim assistance programs for trafficking victims, funded through asset seizure, remained unimplemented for the third consecutive year. The 2016 anti-trafficking law established provisions allowing trafficking victims temporary residency during judicial proceedings and permanent residency as necessary as a legal alternative to removal to countries where victims may face hardship or retribution; it was unclear if these provisions were employed during the reporting year. Additionally, the 2016 law directs that necessary legal assistance and an interpreter, in addition to psychological, medical, and social assistance be provided to victims; the government did not report providing such assistance during the reporting period. The government did not report it detained, fined, or jailed any victims for unlawful acts committed as direct result of their being subjected to trafficking; however, given a lack of a broadly employed proactive screening mechanism, it was likely many trafficking victims, among the vulnerable migrant population, remained unprotected and subjected to punishment during the reporting period.

PREVENTION

The government maintained its efforts to prevent trafficking. During the reporting period, the government commenced revisions to its 2015-2022 national action plan, but did not fully operationalize it for the third consecutive year. The anti-trafficking working group continued its operations and, during the reporting period, met monthly under the newly appointed national coordinator for anti-trafficking and anti-smuggling efforts from the interior ministry; as a result, coordination among relevant government agencies improved substantially during the reporting period, which resulted in more holistic protective services for victims and an increased number of investigations and prosecutions of potential trafficking cases. The justice ministry's website featured the government's anti-trafficking efforts throughout the year and publicized articles on human trafficking in addition to a copy of Djibouti's anti-trafficking law. The state-sponsored press also publicized articles on every outreach event in Djibouti, and disseminated informational materials for vulnerable groups including street children and domestic violence victims. In 2017, the government collaborated with an international organization to conduct two awareness-raising events with religious leaders in Tadjourah and Obock; these prefectures provided conference rooms and disseminated invites for both roundtable events. As part of the World Day against Trafficking, the justice minister organized a roundtable discussion on protection of trafficking victims with various ministries, international organizations, and representatives from the diplomatic core; officials provided the venue and refreshments, circulated invitations, and coordinated with the state-sponsored press to report on the event. The government also screened an international organization-sponsored play about human trafficking in Niger, which reached an unknown number of attendees. The Women's Ministry promulgated its hotline for domestic abuse cases, which also included instances of sex trafficking. The government made efforts to reduce the demand for commercial sex acts and forced labor. The government increased the number of law enforcement personnel at nighttime at Siesta beach—a time and location notorious for commercial sex transactions. In March 2018, the inspector general began publicly conducting unexpected inspections at the sites of foreign companies throughout the country. Through a train-the-trainer program, international experts provided Djiboutian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The coast guard had a separate training for the identification of trafficking at sea. English and Amharic language teachers at the Ministry of Foreign Affairs' training center for diplomatic personnel included information on trafficking and domestic servitude in their course material.

TRAFFICKING PROFILE

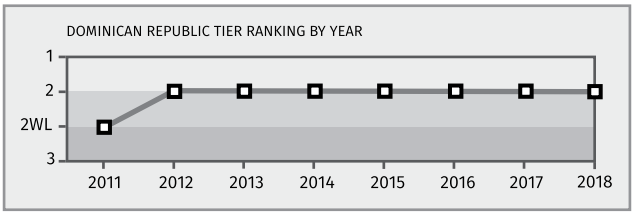
As reported over the past five years, Djibouti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking, although limited data on trafficking cases has complicated efforts to determine the full scope of the phenomenon. Men, women, and children, primarily economic migrants from Ethiopia and Somalia, transit Djibouti voluntarily—albeit illegally—en route to Yemen and other locations in the Middle East, particularly Saudi Arabia. An unknown number of these migrants are subjected to forced labor and sex trafficking in their intended destinations. In 2017, more than 117,000 people embarked on the sea crossing from the Horn of Africa to Yemen, contributing to the highest annual total of the past decade. In addition to this unprecedented influx of migrants, the 2015 crisis in Yemen continued to generate a reverse flow of persons from Yemen to Djibouti. The government allowed over 37,500 people of diverse nationalities to enter freely and take refuge since the start of the Yemeni war; some of them had endured various types of exploitation, possibly including trafficking, before their arrival in Djibouti. Given the protracted instability in Ethiopia's Oromia region that commenced in November 2015, Ethiopians still journeyed on foot from Ethiopia to Djibouti to either claim asylum with their families or continue onward to destination countries in the Gulf, thereby causing a substantial uptick in refugee camp population; austere and overcrowded conditions in refugee camps made this group vulnerable to trafficking.

During the reporting period, officials identified an increasing number of vulnerable minors in Djibouti City, particularly along the road of Siesta Beach. Djiboutian and migrant women and street children are vulnerable to sex trafficking and forced prostitution in Djibouti City, the Ethiopia-Djibouti trucking corridor, and Obock, the main departure point for Yemen. Some migrants intending to be smuggled may be transported or detained against their will and subsequently subjected to trafficking and other forms of abuse in Djibouti. Smuggling networks, some of whose members are likely Djiboutian, sometimes charge exorbitantly high rents or kidnap and hold migrants, including children, for ransom in countries neighboring Djibouti. Parents sometimes compel their children to beg on the streets as a source of familial income; children may also travel from foreign countries—including Ethiopia and Somalia—for begging in Djibouti.

DOMINICAN REPUBLIC: TIER 2

The Government of the Dominican Republic does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore the Dominican Republic remained on Tier 2. The government demonstrated increasing its efforts

by increasing convictions, training and investigation guidelines for law enforcement personnel, and victim protections during investigations and judicial proceedings, in addition to pursuing criminal charges against complicit officials. The government also reconvened its trafficking commission and increased its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. Although the national police reported a significant increase in investigations, the Attorney General's Office reported fewer investigations and reported a decrease in prosecutions. The government did not pass a new national action plan, fund a full-time victim shelter, or provide comprehensive victim services.



RECOMMENDATIONS FOR THE DOMINICAN REPUBLIC

Vigorously prosecute and convict traffickers involved in forced labor and sex trafficking, including complicit government officials; fully implement protocols to identify adult and child trafficking victims, including in commercial sex, domestic servitude, and the agriculture and construction sectors, and refer them to protective services; proactively screen for trafficking indicators among Venezuelans, working children, and undocumented or stateless persons at risk of deportation, including those of Haitian descent, to identify victims, refer them to care, and prevent re-trafficking; approve and implement a new national action plan; adequately fund and train law enforcement, including on how to better identify victims of forced labor, particularly in areas outside of Santo Domingo; amend the 2003 anti-trafficking law to remove the requirement to prove force, fraud, and coercion of sex trafficking victims under 18 years of age and consistent with international law; adequately fund and provide comprehensive services for victims; and conduct forced labor and sex trafficking awareness campaigns in Spanish and Creole.

PROSECUTION

The government increased prosecution efforts. Dominican law criminalized sex and labor trafficking. The 2003 Law on Human Smuggling and Trafficking (Law 137-03) criminalized all forms of labor trafficking and some forms of sex trafficking and prescribed penalties of 15 to 20 years imprisonment and fines. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, Article 25 of the Child Protection Code of 2003 criminalized the offering, delivering, or accepting, without regard to means used, anyone under 18 years of age for the purpose of sexual exploitation, forced labor, or any other purpose that demeaned the individual, for remuneration or any other consideration, and prescribed a penalty of 20 to 30 years imprisonment and a fine. These penalties were all sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the Attorney General's Office initiated 17 investigations and prosecuted 20 alleged traffickers, compared with 25 investigations and 40 prosecutions in 2016 and 15 investigations and 49 prosecutions in 2015. The Attorney General's Office secured convictions of 16 defendants in 13 cases, compared to 13 defendants convicted in seven cases in 2016 and 20 defendants convicted in seven cases in 2015; sentences ranged from two to 20 years imprisonment. One convicted trafficker received a suspended sentence. In addition to the above, the national police anti-trafficking department, with NGO assistance, reported it initiated 83 investigations. It did not report a specific number of investigations previously. The national police also conducted seven raids in sex trafficking cases in 2017, versus three in 2016 and none in 2015. The Attorney General's Office also charged 12 foreigners (American, Canadian, German, and Venezuelan) with child sex tourism and convicted four of them; the other eight cases were pending.

The limited number of police officers dedicated to the issue, limited institutional capacity, lack of training and resources, and procedural inefficiency hindered progress. The government's anti-trafficking resources were concentrated in Santo Domingo, resulting in gaps in other areas of the country. An Attorney General's Office review of 2010-2014 trafficking cases revealed a number of gaps in law enforcement efforts: inadequate investigation resulting in a lack of evidence to prosecute; insufficient efforts to secure the cooperation of victims and families; and cases prosecuted under inappropriate provisions of the law. In response to the report, the government improved training on investigation and prosecution in the attorney general's anti-trafficking unit and improved victim protection during investigations and the judicial process by allowing testimony via closed circuit video.

To improve law enforcement efforts, the government increased the number of agents trained in trafficking and who work under the national special prosecutor, from 15 in 2016 to 41 in 2017. The national police conducted 14 training sessions, which included four international trainings and four workshops on trafficking and identification in different police regions; a total of 300 police officers were trained. The government offered anti-trafficking courses at the Military Institute, the Specialized Prosecutor Against High Technology Crimes, Attorney General's anti-trafficking unit (ATU), Judiciary School, Attorney General's School, Superior Defense Institute, and the National Investigator's Department.

Authorities noted a lack of capacity and resources to identify potential labor trafficking cases. The government charged two police officers and two members of the military with sex trafficking; these individuals were suspended from their jobs and were being held in pretrial detention pending the outcome of their court cases. The government cooperated with INTERPOL and governments in Canada, Colombia, Trinidad and Tobago, and the United States on investigations of transnational trafficking cases. In one case, the government sought extradition of a trafficker.

PROTECTION

The government maintained victim protection efforts. Authorities identified 102 sex trafficking victims—89 female and 13 male; 57 children and 45 adults—compared with 157 victims in 2016 and 101 in 2015. Seventy-five of the victims were Dominican and 27 were Venezuelan. All of the Dominican victims were given food, medical and psychological services, legal assistance, and shelter. The government said 20 of the 27 Venezuelan victims were provided food, medical, psychological, immigration, and legal assistance and shelter; seven of the

victims voluntarily returned to Venezuela with assistance provided by an international organization. The government said 86 of the 102 trafficking victims cooperated with law enforcement. The government provided assistance through its consular and diplomatic missions to four Dominican women exploited abroad, three in Trinidad and Tobago and one in Liberia; upon return to the Dominican Republic, the government provided these victims with additional services.

In collaboration with other government agencies, international organizations, and NGOs, the ATU was structured to provide foreign and domestic trafficking victims accommodation in shelters, psychological, and legal assistance, reintegration and repatriation assistance, medical services, and support for higher education. However, NGOs reported these services were ad hoc and not well coordinated or specialized, and the government often returned child victims to their families without follow-up care or education about the risks of re-trafficking. The government established a fund of 125,000 Dominican pesos ($2,600) for a shelter in Cotui and 120,000 Dominican pesos ($2,490) for a shelter in Nizao. The special prosecutor's office had a special fund of 50,000 Dominican pesos ($1,040) and an investigations fund of 70,000 Dominican pesos ($1,450) that were also used for victim-related expenses such as transportation, food, shelter expenses, and medications; both of these funds were periodically replenished. Authorities and observers noted the government lacked adequate funding, strong institutional leadership, trained personnel, and equipment to provide adequate victim protection. Experts, however, noted some improved care to teenage victims at a shelter in Jarabacoa.

Government officials reported having protocols to identify and assist adult and child trafficking victims; however, authorities did not fully implement the protocols across all levels of government nationwide. The government previously worked with an NGO to provide training to build capacity to apply the protocols but no longer does so. The government acknowledged the protocols, which were developed in 2015, have not been fully implemented across the government but said that will be included in its national plan. The government said the lack of full implementation has not hindered its work with victim assistance and protection. The government worked with NGOs to screen for potential victims. The government did not fund a shelter to remain open full-time for adult female victims of trafficking. Some observers noted one shelter might not be sufficient to care for victims across the entire country, and placing trafficking victims in the same shelter as domestic violence victims was problematic because they had different problems and needs; others pointed out the need for more transitional housing for victims.

The government reported victims sued their traffickers in 2017, using free legal services provided by the ATU. Five new civil actions against traffickers were filed, while three of the five filed in 2016 were concluded. In two of those three cases, traffickers were required to compensate victims; one received 100,000 Dominican pesos ($2,080) and the other received 150,000 Dominican pesos ($3,120). The anti-trafficking law contained victim protection provisions, including restitution; however, no victims obtained restitution in 2016 or 2017, compared to at least one victim in 2015. The government provided compensation to victims of trafficking, including 100,000 Dominican pesos ($2,080) per person granted to victims of a case in Montecristi. The government provided a residence visa to a Chinese national who was identified as a trafficking victim in 2013. Undocumented Haitian victims faced deportation and other penalties resulting from their irregular immigration status, increasing vulnerability to trafficking. The government signed an agreement between its foreign ministry, Attorney General's Office, and the National Institute of Migration to create a pilot program for the protection and resettlement of Dominicans who were victims of trafficking abroad.

PREVENTION

The government maintained prevention efforts. The government reconvened the Inter-institutional Commission Against Trafficking in Persons and Migrants (CITIM), which was overseen by the Ministry of Foreign Affairs and brought together multiple government agencies. CITIM, with input by civil society and international organizations, began drafting a new national anti-trafficking action plan, although this plan was not completed during the reporting period. Observers noted that at the highest levels of government, leaders did not demonstrate strong political will to combat trafficking. The government reported it compiled data on its anti-trafficking efforts and published its annual report. Observers assessed government implementation efforts were uncoordinated and underfunded.

The government provided 100,000 Dominican pesos ($2,080) funding for the development of four fact sheets in Spanish and Haitian Creole to explain how to identify trafficking and commercial sexual exploitation, bring charges, and refer victims. The government, with the help of an international organization, was developing a public awareness project in nine provinces addressing the prevention, investigation, and prosecution of sexual exploitation and trafficking of children and adolescents. Authorities, however, noted an overall lack of public prevention campaigns focused on trafficking. The government's National Institute of Migration and the women's ministry, designed a new diploma for trafficking training for government officials focused on the care and protection of victims. The education ministry worked with NGOs to educate secondary and university students on trafficking. The National Migration Institute designed a study to research the trafficking of Dominican women abroad. Authorities, however, noted the need to carry out more research on human trafficking in the country.

The government operated a national hotline, which received 234 calls during the reporting period. The government had a National Regularization Plan that offered legal protections to seasonal workers in the Dominican Republic, as well as guaranteed the free transit of thousands of foreign workers who previously may have depended on criminal networks to cross the borders of the Dominican Republic. In addition, the government trained officials in the tourism sector to identify victims of sex tourism. The government maintained a national plan to reduce child sex tourism and a detection system for foreign travelers who are registered sex offenders in their countries. Experts, however, noted child sex tourism was visible on the country's tourist beaches. The government did not report efforts to reduce the demand for forced labor. The government provided anti-trafficking training for its diplomatic personnel.

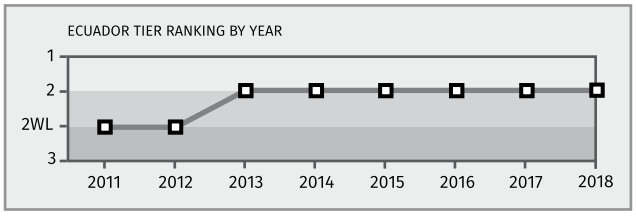
TRAFFICKING PROFILE

As reported over the past five years, the Dominican Republic is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Large numbers of Dominican women and children are subjected to sex trafficking in the Dominican Republic, the Caribbean, Europe, South and Central America, the Middle East, Asia, and the United States. Foreign national victims from the

Caribbean, Asia, and South America are subjected to trafficking in the Dominican Republic. Commercial sexual exploitation of Dominican children by foreign tourists from the United States, Canada, and Europe, and by Dominican residents persists, particularly in coastal resort areas. Sex trafficking of 15- to 17-year-old girls occurs in streets, in parks, and on beaches. Government officials and NGOs report an increase in Colombian and particularly Venezuelan women brought to the country to dance in strip clubs who are subjected to forced prostitution. Traffickers lure Dominican women to work in nightclubs in the Middle East, the Caribbean, and Latin America and subject them to sex trafficking. Dominican officials and NGOs documented cases of children forced into domestic service, street vending, begging, agricultural work, construction, and moving illicit narcotics. There are reports of forced labor of adults in construction, agricultural, and service sectors. Populations vulnerable to trafficking include women and girls, working children and street children, migrant workers, Venezuelan migrants, and undocumented or stateless persons of Haitian descent. Haitian women report smugglers often become traffickers for the purpose of sexual exploitation along the border, and observers note traffickers operate along the border with impunity and sometimes with the assistance of corrupt government officials who accept bribes to allow undocumented crossings. Unofficial border crossings remain unmonitored and porous, leaving migrants, including children recruited to work in the agricultural and construction sectors, vulnerable to trafficking. NGOs report police complicity in areas known for child sex trafficking.

ECUADOR: TIER 2

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ecuador remained on Tier 2. The government demonstrated increasing efforts by prosecuting more suspected traffickers and formally establishing and funding the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling within the Ministry of the Interior (MOI) to coordinate the government's anti-trafficking efforts. However the government did not meet the minimum standards in several key areas. Specialized services to victims remained unavailable in most of the country, the government decreased shelter funding for the second consecutive year, and the government did not approve a revised version of the 2013-2017 national action plan.



RECOMMENDATIONS FOR ECUADOR

Strengthen the provision of specialized services for trafficking victims, including for adults, and increase funding for services, including for those provided by civil society organizations; vigorously investigate, prosecute, and convict traffickers, including public officials complicit in trafficking; amend anti-trafficking statutes for consistency with the international definition of trafficking; increase use of the national protocol for protection and assistance to trafficking victims, including identifying trafficking victims among vulnerable populations, such as LGBTI individuals, irregular migrants, and individuals in prostitution; increase anti-trafficking training for police officers, judges, labor inspectors, immigration officials, social workers, and other government officials, particularly to enhance victim identification; partner with civil society to finalize, resource, and implement the national anti-trafficking action plan; enhance interagency coordination; and take steps to retain expertise among law enforcement investigating trafficking cases.

PROSECUTION

The government maintained law enforcement efforts. Article 91 of the 2014 criminal code criminalized sex and labor trafficking and prescribed penalties ranging from 13 to 16 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as kidnapping. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as essential elements of an adult trafficking offense. Article 91 defined trafficking broadly to include all labor exploitation, child labor, illegal adoption, servile marriage, and the sale of tissues, fluids, and genetic materials of living persons.

The Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling reported the government initiated 171 investigations into alleged trafficking cases in 2017. The government arrested 44 suspected traffickers and conducted 23 anti-trafficking operations in 2017 (52 operations arresting 56 suspected traffickers in 2016 and 10 operations in 2015). Authorities reported prosecuting 61 cases of trafficking and convicted 31 traffickers, compared with 18 prosecutions and 40 convictions in 2016 and 64 prosecutions and 31 convictions in 2015. The National Police Unit for Crimes against Children and Adolescents (DINAPEN) merged with the anti-trafficking police unit in August 2016 to become the primary law enforcement unit responsible for investigating trafficking cases. Limited resources, limited presence in parts of the country, bureaucratic delays, and the frequent rotation of specialized police hampered law enforcement efforts during the reporting period.

After an NGO alleged officials in Guayaquil issued fraudulent identity documents to adolescent girls allowing them to be exploited in commercial sex, the Attorney General's Office began investigating the case in March 2018. Most complicity cases from prior years remained open, including the 2015 prosecution of a police officer for sex trafficking and the 2013 prosecution of two active and two former police officers for their involvement in sex trafficking. Authorities held a month-long training for 20 members of DINAPEN in November 2017. The MOI provided mandatory specialized training as part of basic curriculum for all DINAPEN officers; however, frequent rotations impede the development and retention of expertise.

PROTECTION

The government decreased protection efforts. The Attorney General's Office identified and assisted 56 victims (39 sex trafficking victims and 17 labor trafficking victims) during the reporting period, compared to identifying 75 victims in 2016. NGOs identified and assisted an additional 70 potential child trafficking victims, compared to 75 in 2016. It was unclear how many government- and NGO-identified cases involved trafficking

as defined in international law given the overlapping trafficking-related criminal offenses. In partnership with an international organization, the MOI published an anti-trafficking training manual for MOI immigration officials to aid identification of victims especially among the influx of Venezuelan migrants. The government used the "National Unified Protocol for Integral Protection and Assistance to Victims of Trafficking" to refer victims. Authorities regularly referred victims to one of five government ministries responsible for victim assistance and referral, as well as NGOs that provided shelter and assistance.

Authorities, in partnership with NGOs, continued to provide emergency services to trafficking victims, including legal, psychological, and educational support, in addition to shelter for underage female victims. Lack of specialized services and shelters, especially for adult victims of trafficking, continued to be a concern. Male victims had limited options for services through care centers providing ambulatory services by interdisciplinary teams formed by psychologists, social workers, and attorneys. Two NGO-run specialized shelters with limited government funding provided services to adolescent girl sex trafficking victims; there were no specialized shelters for children, adolescent boys, adults, or victims of labor trafficking. At the end of the reporting period, the NGO running one of the two specialized shelters reported the precarious lack of funding might force the shelter to close. Police reported challenges finding shelters for trafficking victims, particularly outside the capital; as a result, police sometimes placed victims in non-specialized shelters or in police barracks until space in a shelter became available. For the second straight year, NGOs reported government funding for victim services decreased compared to the year before.

The Office of the Prosecutor General continued to support a formal witness protection program (SPAVT) and provided immediate support to victims. During the reporting period, the SPAVT program spent $6,447 to assist 31 victims, a decrease from 47 victims in 2016 and 72 victims in 2015. The government granted a 30-day reflection period allowing victims to receive SPAVT protection while deciding whether to participate in the penal process against their traffickers. Law enforcement reported at least 13 victims participated in investigations. Many victims chose not to participate in investigations due to fear of threats or lack of faith in the judicial system. Foreign victims were entitled by law to the same services as domestic victims. The MOI reported it had mechanisms to repatriate trafficking victims and Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation; however, the government did not report using these mechanisms during the reporting period. According to authorities, financial restitution was not available for trafficking victims. The Human Mobility Law guaranteed the non-return of people to countries where their lives or relatives are at risk, including foreign victims of trafficking. Authorities reported they could grant temporary or permanent residency to foreign victims but did not report whether any foreign victims received residency in 2017. During the reporting period, the government was in the process of implementing provisions of the mobility law designed to prevent re-victimization and penalization of victims by establishing a registry of identified trafficking victims and assigning responsibilities to state agencies to provide protection and reintegration in addition to prevention education.

PREVENTION

The government maintained prevention efforts. The Anti-Trafficking in Persons Committee was the national coordinating body chaired by the MOI and the anti-trafficking directorate within the MOI served as the Committee's technical secretariat. In September 2017, the MOI established the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling to serve as the Committee's technical secretariat. The directorate replaced the MOI's ad hoc Anti-Trafficking in Persons Unit and the government assigned the directorate personnel and a budget for personnel and operations. However, civil society organizations continued to note a lack of coordination among government actors. During the reporting period, the government did not approve a revised version of the 2013-2017 national action plan, although the Committee was drafting a new national action plan. National authorities conducted awareness-raising events in public schools and social media campaigns. The MOI also launched a series of illustrated advertisements and social media campaign to raise awareness. In September, authorities from Colombia and Ecuador held a bi-national fair at the principal border crossing to educate the public about trafficking. The criminal code prohibits sex tourism, but the government reported there were no investigations, prosecutions, or convictions of child sex tourists in 2017. The government participated in an exchange of best practices in preventing sex tourism with regional tourism ministries and provided training to staff of 120 hotels on identifying and reporting suspected sex tourism cases in 2017. Travel agents were required to complete a Ministry of Tourism online course on detecting trafficking victims. The mobility law required the Ministry of Labor (MOL) to register all cases of job placement abroad. In January 2018, the MOL announced plans for a system for registration of migrants' employment contracts so authorities could verify adequate work conditions and salaries. The government did not report efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

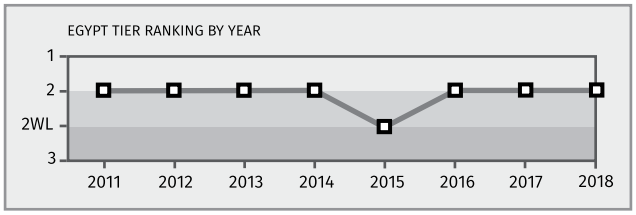
TRAFFICKING PROFILE

As reported over the past five years, Ecuador is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Ecuadorian men, women, and children are exploited in sex trafficking and forced labor within the country, including in domestic servitude, forced begging, on banana and palm plantations, in floriculture, shrimp farming, fishing, sweatshops, street vending, mining, and in other areas of the informal economy. Indigenous and Afro-Ecuadorians, as well as Colombian refugees and migrants, are particularly vulnerable to human trafficking. The influx of Venezuelan migrants in Ecuador (an international organization estimated about 800 Venezuelan migrants have arrived in Ecuador each day since December 2017) are particularly vulnerable to human trafficking. Women, children, refugees, and migrants continued to be the most vulnerable to sex trafficking; however, LGBTI individuals remain vulnerable to sex trafficking. Smugglers promising a better life confiscate documents, impose debts, and threaten or force into prostitution migrants from South and Central America, the Caribbean, and to a lesser extent Africa and Asia in Ecuador. Ecuador is also a destination for South and Central American women and girls exploited in sex trafficking, domestic servitude, and forced begging. Haitians migrate through Brazil into Ecuador to seek jobs on banana plantations, where they are vulnerable to forced labor. Traffickers use Ecuador as a transit route for trafficking victims from Colombia and the Caribbean. Traffickers recruit children from impoverished indigenous families under false promises of employment and subject them to forced labor in begging, domestic servitude, in sweatshops, or as street and commercial

vendors in Ecuador or in other South American countries. Ecuadorian children are subjected to forced labor in criminal activity, such as drug trafficking and robbery. Ecuadorian men, women, and children are exploited in forced labor and sex trafficking abroad, including in the United States, and in other South American countries, particularly in Chile. Some Ecuadorian trafficking victims are initially smuggled and later exploited in prostitution or forced labor in third countries, including forced criminality in the drug trade. Allegedly, corrupt Ecuadorian officials have alerted traffickers prior to some law enforcement operations, and some local authorities assisted traffickers to get falsified identity documents, which resulted in victims' lack of confidence in the police and a reluctance to report potential cases.

EGYPT: TIER 2

The Government of Egypt does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Egypt remained on Tier 2. The government demonstrated increasing efforts by funding the recently established National Coordinating Committee on Preventing and Combating Illegal Migration (NCCPIM & TIP), which managed inter-ministerial anti-trafficking efforts, initiating more trafficking investigations and prosecutions, increasing awareness campaigns; establishing courts in four governorates and dedicating a group of prosecutors to focus exclusively on trafficking cases, and assisting through its special response teams a significant number of street children vulnerable to trafficking. However, the government did not meet the minimum standards in several key areas. The government did not report what services, if any, it provided to identified victims. The government did not implement guidance on victim identification and referral procedures, and as a result, authorities continued to penalize unidentified victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration violations.



RECOMMENDATIONS FOR EGYPT

Implement standard operating procedures (SOPs) to proactively identify and refer trafficking victims; ensure trafficking victims are not treated as criminals for unlawful acts committed as a direct result of being subjected to human trafficking; provide and allocate adequate resources for protection service—including but not limited to—the national hotline and a dedicated shelter—for victims of all forms of trafficking; increase and track investigations, prosecutions, and convictions of all forms of trafficking and punish offenders, including complicit officials, with sufficiently stringent sentences; increase training for all government officials, including judges in the specialized trafficking courts, on implementation of the anti-trafficking law and victim identification and referral procedures; provide a clear legal basis for NGOs to provide victim services; further extend legal and employment protections to cover domestic workers; raise awareness of the specialized trafficking courts among judicial and law enforcement officials; encourage trafficking victims to assist in investigations and prosecutions of their traffickers; increase ongoing nationwide awareness campaigns; and increase data collection for human trafficking which disaggregates sex, labor and other forms of trafficking.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts. The 2010 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties from three to 15 years imprisonment and fines, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Child Law No.12, as amended, also criminalized sex trafficking and forced labor of children and prescribed sentences of at least five years imprisonment. Articles 80 and 89 of the constitution prohibited sex trafficking, compulsory exploitation, and forced labor.

During the reporting period, the government investigated 144 cases of alleged human trafficking compared to 23 investigations in 2016 and 21 in 2015 but did not disaggregate types of trafficking. Officials referred 41 cases for prosecution for alleged trafficking, but did not provide case details. The government reported convicting three Egyptians in one case in 2017—a decrease compared to five convictions in 2016. Three defendants were each fined $5,640 and sentenced to ten years, five years and four years in jail respectively for sex trafficking. The media and the government reported arrests of 13 government officials and others allegedly complicit in human trafficking offenses; however, the government did not report efforts to prosecute officials. The government reported firing the Egyptian passport control official allegedly complicit in a labor trafficking and bribery case in a prosecution initiated in the previous reporting period. The case involved two other Saudi Arabian nationals but it is not clear if any of the three defendants have been prosecuted. Some trafficking cases were settled out of court, resulting in a lack of adequate punishment for trafficking offenders. The government requested extradition of one individual from the Libyan government and cooperated with the Sudanese government to extradite several individuals; the government subsequently arrested the defendants in both cases. The government did not report the outcome of its request during the previous reporting period for the extradition of an Egyptian national from Jordan on a potential trafficking case.

The government added four more specialized courts to prosecute human trafficking cases, making a total of eight courts; however, the government did not report whether these courts or the three specialized courts established to prosecute human trafficking cases in the prior reporting period tried trafficking cases during the reporting period. In 2017, the prosecutor general assigned a specialized group of prosecutors trained in Egypt's anti-trafficking law and relevant international conventions to investigate and prosecute trafficking cases. There were 41 trafficking related trainings provided by the government compared with 23 in the prior reporting period. The Ministry of Justice reported that it provided 11 trainings on human trafficking for 321 judges and sent 62 participants to three trafficking related conferences. The Ministry of Justice's Center for Judiciary Studies provided compulsory training on human trafficking for newly appointed prosecutors as a part of its curricula; however, it did not report how many officials received this training. The Ministry of Interior (MOI) conducted 30 training courses on countering trafficking and

added trafficking as a topic within all courses at government-affiliated educational and training institutions, including those for MOI officials and for security forces from African Union countries. The prosecutor general conducted training courses on countering trafficking, migrant smuggling, and illegal migration but the number of anti-trafficking courses was not clear. The government also circulated a trafficking guidelines toolkit for prosecutors investigating trafficking, but did not report how many prosecutors received the kits. The government agency, the Cairo Center for Conflict Resolution and Peacekeeping in Africa (CCCPA) trained foreign nationals on trafficking issues but did not provide details on what nationals it trained or how it funded the training.

PROTECTION

The government maintained weak protection efforts. The government did not report how many trafficking victims it identified, referred, or assisted during the reporting period. The government did not complete the design of the national victim referral mechanism or report the outcome of efforts to complete guidelines or support training of officials on use of the mechanism, which were initiated in the previous reporting period. The government did obtain agreement from relevant agencies on the basic victim referral mechanism. Outside observers reported, however, that law enforcement and judicial sector employees informally identified victims and provided them access to non-governmental services. The government's anti-trafficking hotline identified 33 potential trafficking cases, a decrease from 65 in the prior reporting period. Observers reported calls to the hotline were often not answered during established operating hours. The government did not report if any of the victims in the 41 potential human trafficking cases sent to the prosecutor or from 33 trafficking hotline complaints were referred to or received protective care. The Ministry of Social Solidarity provided 4,004 street children with medical and psychological assistance and reintegrated 397 street children into their families during the reporting period. The government did not report how many of these children were trafficking victims or who funded the services. NCCPIM & TIP participated in five trainings about trafficking in persons and relevant laws for its new staff provided by an NGO.

Ineffective victim identification and referral procedures contributed to authorities punishing some victims for unlawful acts committed as a direct result of being subjected to human trafficking, leaving victims vulnerable to detention and deportation for illegal immigration or employment violations. NCCPIM & TIP reported that the MOI allowed trafficking victims residency status and reinsertion within local communities, but did not report if any victims received this status during the reporting period. While the government waives all visa overstay fees for refugees and asylum-seekers, it has yet to implement such an exemption for trafficking victims. Law 64/2010 decriminalized trafficking victims for their actions and guarantees repatriation "in an expeditious and safe manner" (article 22). In certain cases involving foreign victims, while the government did not press legal charges for illegal immigration or unauthorized employment, it detained victims administratively until they were deported.

While the anti-trafficking law guaranteed protection of witnesses of trafficking crimes, observers reported that there is neither a formal witness protection program nor established witness protection procedures, so fear of reprisals and pressure from traffickers, especially family members, resulted in victims withdrawing charges. The government did not report if it provided protection to any witnesses during the reporting period. Continued funding constraints hindered the government's provision of adequate protection services to victims. The government did not have shelter services specifically dedicated to trafficking victims in 2017, but the government-run women's shelters were open to trafficking victims. However, observers noted that shelter services were poor and some were reluctant to place victims in those shelters due to safety concerns and fear of re-traumatizing the victim due to lack of staff training and victim protection. The Ministry of Social Solidarity expanded a program targeted at vulnerable children without shelter, including child laborers, by forming 17 mobile units with rapid response teams including medical emergency specialists to provide medical and psychological care as well as recreational services. The National Council for Women conducted a campaign to increase the number of women who had national ID cards, necessary to access government services.

The government continued to operate numerous facilities for victims of sexual and physical violence, but it did not report if these facilities assisted any trafficking victims during the reporting period. NGOs report that some law enforcement personnel contacted them for help with identifying potential trafficking victims and referring them to services, but these efforts were ad hoc rather than part of a formal process. The government continued to rely on international organizations and civil society to fund victim assistance, and in some cases, it publicly acknowledged and cooperated with NGOs in their efforts to assist victims, but it did not—in turn—provide financial assistance to these organizations, which affected their ability to offer protective services to victims. Moreover, Egypt's Law on Non-Governmental Organizations hindered legal approvals and registrations for NGOs operating in Egypt, thereby impeding their efforts to provide essential services to victims.

PREVENTION

The government maintained efforts to prevent human trafficking. The government employed a whole-of-government approach against human trafficking through the NCCPIM & TIP using public awareness campaigns, trainings, and capacity building activities. In 2017, the government fully staffed and committed resources to the NCCPIM & TIP, which enabled it to begin planning systematic anti-trafficking efforts including awareness campaigns and trainings for staff in several ministries. NCCPIM & TIP conducted 35 training and awareness-raising campaigns which reached 1740 beneficiaries, including students, educators, and migrants. NCCPIM & TIP also distributed information booklets to government entities involved in identifying or providing services to trafficking victims, including an informational booklet for Egyptians departing for work abroad. Social media messaging from NCCPIM & TIP on the dangers of irregular migration and trafficking reached over 1 million persons during the reporting period, and it partnered with IOM to assess portrayals of trafficking in Egyptian media to better develop and target future awareness campaigns addressing the demand for forced labor and commercial sex acts. The government also provided informational booklets on trafficking to potential migrant laborers and employers suspected of violating labor laws, including trafficking. Observers reported that information about the anti-trafficking hotline was not included in awareness campaigns and it was not reported if there were any referrals for criminal prosecution for labor or sex trafficking. Although the government licenses and oversees labor recruiters, enforcement is not tracked so it is not clear how many trafficking cases were identified or prosecuted. During the reporting period, the government inspected 3,388

establishments, issued formal warnings to 509, and filed police reports against 61 employers. The government continues to raise awareness of the problem of early child marriage but it is not clear if the government took any action against "temporary" or "summer" marriages of girls, primarily with tourists, for the purpose of commercial sex.

The government reported Egyptian diplomats were provided human rights training and information on labor laws and anti-trafficking guidance in their pre-departure courses. The Institute of Diplomatic Studies, a government entity, also held three lectures in its headquarters addressing trafficking topics. The government reported that it trains all soldiers on identifying and interacting with trafficking victims but did not report how these trainings were funded or how many soldiers were trained. The government provided mandatory anti-trafficking training to Egyptian nationals deployed abroad as part of peacekeeping missions.

TRAFFICKING PROFILE

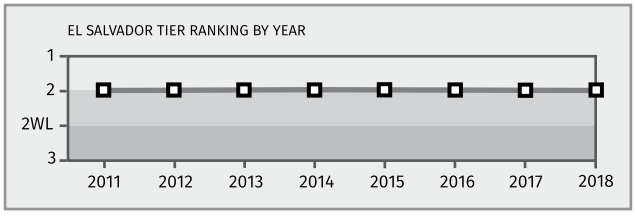
As reported over the past five years, Egypt is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Egyptian children are vulnerable to sex trafficking and forced labor in domestic service, street begging, and agricultural work. Individuals from the Persian Gulf, including Saudi Arabia, United Arab Emirates, and Kuwait purchase Egyptian women and girls for "temporary" or "summer" marriages for the purpose of commercial sex, including cases of sex trafficking, as well as forced labor; these arrangements are often facilitated by the victims' parents and marriage brokers, who profit from the transaction. Child sex tourism occurs primarily in Cairo, Alexandria, and Luxor. Egyptian men are subjected to forced labor in construction, agriculture, and low-paying service jobs in neighboring countries.

Men and women from South and Southeast Asia and East Africa are subjected to forced labor in domestic service, construction, cleaning, and begging. Foreign domestic workers—who are not covered under Egyptian labor laws—from Indonesia, the Philippines, Sri Lanka, Bangladesh, and Ethiopia are highly vulnerable to forced labor, experiencing excessive working hours, confiscation of passports, withheld wages, denial of food and medical care, and physical and psychological abuse. Women and girls, including refugees and migrants, from Asia, Sub-Saharan Africa, and the Middle East endure sex trafficking in Egypt. Syrian refugees who have settled in Egypt remain increasingly vulnerable to exploitation, including forced child labor, sex trafficking, and transactional marriages of girls—which can lead to sexual exploitation, including sex trafficking, and forced labor. Irregular migrants and asylum-seekers from the Horn of Africa, who transit Egypt en route to Europe, are increasingly vulnerable to exploitation along this migration route. Observers reported an increase in West African migrant trafficking victims, though it was unclear if this was the result of increased victim identification or an actual increase in numbers.

Until 2013, thousands of cases of forced labor and sexual servitude, smuggling, abduction, and extortion of African migrants in the Sinai Peninsula occurred at the hands of criminal groups. International organizations observed the flow of these migrants into the Sinai declined substantially in 2015, due in part to continued Egyptian military operations. Anecdotal reports suggested these criminal groups have relocated from the Sinai to Egypt's border with Libya, where migrants remain vulnerable to the same abuses, including trafficking. However, Israeli NGOs reported that Bedouin groups in the Sinai resumed abuse—including trafficking crimes—against asylum-seekers on a limited scale in 2015. According to victim testimonies, Bedouin groups forced approximately 61 Sudanese asylum-seekers to work in agriculture, tree lumbering, and marijuana growing; these groups physically abused the victims, including beatings and deprivation of food and water and extorted money from them for their release. On average, the Bedouin held the victims captive for one month before releasing them.

EL SALVADOR: TIER 2

The Government of El Salvador does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous period; therefore El Salvador remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more trafficking cases, including forced labor; opening new offices to provide victim services, and providing services to some girl victims; and adopting and launching the UN Office on Drugs and Crime "Blue Heart" Campaign as part of its awareness-raising efforts. The government did not, however, meet the minimum standards in several key areas. The government did not report progress in investigations of official complicity initiated in previous years, constraining overall efforts to combat trafficking. The government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals engaged in commercial sex. Services for adults, boys, and LGBTI victims were severely lacking.



RECOMMENDATIONS FOR EL SALVADOR

Conduct thorough criminal investigations and prosecutions of alleged government complicity in trafficking offenses and convict and punish complicit officials; provide adequate funding for and implement the "Protocol for Intergovernmental Action for the Integral Care of Trafficking in Persons Victims," paying particular attention to areas where gaps in current assistance exist—adults, boys, and LGBTI victims; implement procedures to proactively identify victims among vulnerable groups, including children apprehended for illicit gang-related activities, irregular migrants returning to El Salvador, and individuals in commercial sex; strengthen efforts to proactively investigate and prosecute traffickers, and to convict and sentence traffickers, especially for forced labor, including forced criminal activity; enforce laws punishing local labor brokers for illegal practices that facilitate trafficking, such as fraudulent recruitment or excessive fees for migration or job placement; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; strengthen anti-trafficking coordination between government entities and with civil society organizations, particularly outside the capital; and fully implement prevention measures such as the "Blue Heart" Campaign.

PROSECUTION

The government increased law enforcement efforts. The 2014 Special Law Against Trafficking in Persons criminalized sex and labor trafficking and prescribed penalties of 10 to 14 years imprisonment. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. Inconsistent with the definition of trafficking under international law, the law considered the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime; the penalties increased to 16-20 years imprisonment for trafficking offenses involving these factors.

The government investigated and prosecuted both sex trafficking and forced labor. In 2017, authorities investigated 76 cases (73 sex trafficking cases, two forced labor cases, and one domestic servitude case), compared to 55 sex trafficking cases in 2016. Authorities prosecuted nine cases and convicted six sex traffickers in 2016, compared to seven prosecutions and six sex traffickers convicted in 2016. Offenders convicted in 2017 received sentences ranging from 10 to 14 years imprisonment. Notably in 2017, authorities investigated and prosecuted a case of a gang member compelling women and children to engage in forced labor and sexual servitude. The judicial system's inexperience with trafficking cases, overreliance on victim testimony, and threats of reprisal from traffickers impeded efforts to hold traffickers accountable. During the year, the government provided anti-trafficking training to approximately 800 government employees, including police, prosecutors, judges, labor inspectors, immigration officials, physicians, nurses, students, and teachers. The Specialized Human Trafficking and Related Crimes unit of the National Civil Police comprised nine persons focused on trafficking and 23 persons focused on migrant smuggling, sexual crimes, and special or international investigations. The Attorney General's anti-trafficking unit comprised 16 persons, including nine prosecutors. Government officials reported a need to increase staffing and funding, both of which limited their ability to investigate and prosecute cases.

The government reported that in a 2012 case of three prison guards arrested for facilitating sex trafficking, the anti-trafficking unit was unable to locate additional victims to strengthen its case. Regarding a 2009 investigation of trafficking-related complicity by the former head of the prosecutorial anti-trafficking unit, the Attorney General's office reported it made efforts to locate the alleged victims; the investigation remained open at the close of the reporting period.

PROTECTION

The government maintained victim protection efforts. The anti-trafficking council provided a manual to immigration officials to identify possible trafficking victims in border regions; however, the government lacked formal procedures to identify trafficking victims among vulnerable groups, including individuals in commercial sex. In 2017, the government reported identifying 72 victims—67 sex trafficking victims (64 of sexual exploitation and three of forced marriage) and five labor trafficking victims (four victims of forced labor and one victim of servitude)—an increase from 53 in 2016. Those identified included 29 women and 38 girls; 67 were Salvadoran and five were from other Latin American countries. Officials observed a gap between knowledge of victim identification procedures and the application of those procedures by first responders.

The anti-trafficking council revised the "Protocol for Intergovernmental Action for the Integral Care of Trafficking in Persons Victims" required by the national action plan for 2016-2019. The anti-trafficking council also opened 19 offices to provide information and referrals to victims in 15 municipalities across the country. The Ministry of Justice and Public Security's budget for the victims' attention and gender equality area in FY 2017 was $274,920 while the anti-trafficking council received a separate budget of $62,108. The government maintained only a single shelter with the capacity for 20-25 girls and housed and offered psychological and medical care to 12 girls in 2017 compared to 15 in 2016. The government did not offer or fund services to the remaining 60 identified victims, rather these victims were assisted by NGOs and churches. The government offered no specialized services or shelter to boys, adults, or LGBTI victims, although NGOs and officials reported these populations needed shelter, rehabilitation, and mental health services. The government provided shelter in a Migrant Attention Center to four adult male Colombian victims identified by immigration officials, but 15 Colombian adult female victims did not receive services. Throughout the investigation and intake process, residents of the center were required to recount their trafficking experience multiple times to various government entities, highlighting a lack of interagency coordination and leading to re-traumatization. Authorities made efforts to screen for trafficking indicators among Salvadorans returned from abroad and repatriated Salvadoran victims could be referred for food and medical attention and the police to investigate their cases, but the government did not report doing so in 2017. The government offered few long-term support or reintegration services to victims, leaving them vulnerable to re-trafficking.

El Salvador's laws provided for restitution and civil compensation awards in trafficking cases; however, victims had to work through the civil courts to receive payment. In 2017, the courts issued no judgements that included restitution or civil compensation. The government reported having procedures to provide witness protection and support, including disguising victims' identities in court and testifying by teleconference, but did not report using these procedures. Identified trafficking victims generally were not penalized for unlawful acts committed as a direct result of being subjected to trafficking; however, both government officials and NGO representatives stated police need additional procedures and training to properly identify, interact with, and protect victims, who were often mistaken for criminals and may have been punished for such crimes. Furthermore, civil society organizations reported the government treated as criminals children forced to engage in illicit activity by criminal groups, rather than providing them protection as trafficking victims. The 2014 trafficking law provided foreign trafficking victims the right to seek residency status, which would allow them to work legally, and such protection was offered to four foreign victims in 2017, who ultimately requested to be repatriated to their country of origin.

PREVENTION

The government maintained prevention efforts. The government promulgated regulations to further implement the 2014 law, specifically, to facilitate investigations of forced child labor cases and improve coordination between law enforcement and prosecutors. The 2014 law mandated an annual report on government efforts, and the anti-trafficking council provided a report of 2016 efforts, but had not yet provided a report of 2017 efforts. The government, with support from the United States government, launched the UN Office on Drugs and Crime "Blue Heart" Campaign in November 2017, which included billboards and broadcast media. The National Civil

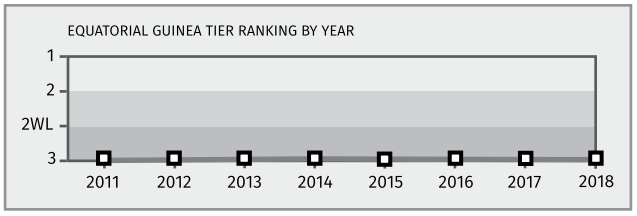
Police established a 24-hour crime-reporting hotline distinct from the 911 emergency hotline, but did not report the number of calls received, trafficking victims identified, or trafficking investigations resulting from such calls. An international organization reported the government formed a sub-commission to address migration policies that could facilitate forced labor, but this body did not release its report before the end of the reporting period. Labor inspectors conducted 698 inspections, but did not identify any cases of forced labor for the second year in a row. The National Civil Police conducted searches at strip clubs and bars for potential sex trafficking and child labor, but did not report identifying any cases. The government did not punish labor recruiters for illegal practices that contribute to trafficking or enforce labor migration policies that could decrease migrants' vulnerability to exploitation abroad. The government provided anti-trafficking training for its diplomatic personnel and troops prior to their deployment abroad as part of international peacekeeping missions. Authorities did not report any specific efforts to reduce the demand for forced labor, but did report efforts to reduce the demand for commercial sex acts. Authorities investigated and prosecuted four individuals who patronized a minor sex trafficking victim for commercial sex acts; however, the court acquitted these individuals, which is under review by the Attorney General. The tourism ministry trained tour guides, businesses, and students in a popular tourist destination to prevent and report trafficking crimes.

TRAFFICKING PROFILE

As reported over the past five years, El Salvador is a source, transit, and destination country for women, men, and children subjected to sex trafficking and forced labor. Women, men, and children are exploited in sex trafficking within the country; LGBTI persons, especially transgender individuals, are at particular risk. Salvadoran adults and children are subjected to forced begging and forced labor in agriculture, domestic service, and the textile industry. Men, women, and children from neighboring countries—particularly Nicaragua, Guatemala, and Honduras—are subjected to sex trafficking, domestic servitude, and forced labor in construction or the informal sector. Traffickers are increasingly recruiting victims in the regions of the country with high levels of violence and coercing victims and their families through threats of violence. Gangs actively recruit, train, arm, and subject children to forced labor in illicit activities—including assassinations, extortion, and drug trafficking—and force women and children to provide sexual services and childcare for gang members' children. Salvadoran men, women, and children are subjected to sex trafficking and forced labor in Guatemala, Mexico, Belize, and the United States. Salvadorans who irregularly migrate to the United States are subjected to forced labor, forced criminal activity, and sex trafficking en route to or upon arrival. Latin American migrants who transit El Salvador to Guatemala and North America are exploited in sex and labor trafficking. Corruption and complicity, including within the judiciary, legislature, and local government, remained a significant obstacle to law enforcement efforts.

EQUATORIAL GUINEA: TIER 3

The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Equatorial Guinea remained on Tier 3. Despite the lack of significant efforts, the government took some positive steps to address trafficking, including investigating two potential trafficking cases; screening some vulnerable populations, including irregular migrants, for signs of trafficking and providing shelter and services to potential victims; continuing public awareness activities and trainings for civil society actors; and revoking companies' business licenses for labor violations. However, the government did not prosecute any suspects and has never convicted a trafficker under its 2004 anti-trafficking law. The government did not report identifying any trafficking victims and did not develop standard operating procedures to identify or refer trafficking victims to care. The government did not provide any trafficking training to law enforcement officials during the reporting period.



RECOMMENDATIONS FOR EQUATORIAL GUINEA

Research the extent and nature of human trafficking within the country; dedicate resources to implement the national action plan to combat trafficking in persons; develop and implement formal procedures to identify and refer trafficking victims to care, especially victims of child sex trafficking, and among child laborers, undocumented immigrants, and women in prostitution; ensure consistent application of existing procedures for screening foreigners and notifying embassies before deportation to ensure trafficking victims are provided appropriate care and safe, voluntary repatriation; expand the scope of the anti-trafficking public awareness campaign to include outreach campaigns across the country; use the 2004 anti-trafficking law to prosecute and convict traffickers, including complicit officials; train social workers, law enforcement, and immigration officials in the use of trafficking victim identification and referral procedures; increase funding or in-kind support to shelters for trafficking victims, including male victims; regularly convene the inter-ministerial anti-trafficking commission and create technical working groups focused on increasing coordination between government ministries, law enforcement, presidents of the community, and NGOs.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2004 Law on the Smuggling of Migrants and Trafficking in Persons criminalized labor and sex trafficking and prescribed penalties of 10 to 15 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated two cases of suspected child trafficking, compared with one investigation during the previous reporting period; however, both cases were discovered to be illegal adoptions through the course of the investigations.

As in the previous year, authorities did not report any prosecutions and the government has never convicted a trafficker; the district attorney reported prosecuting a total of only 120 criminal cases for any crime during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees complicit

in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Unlike previous years, the government did not conduct anti-trafficking trainings for law enforcement officials.

PROTECTION

The government maintained limited efforts to protect victims, but increased efforts to screen vulnerable populations for signs of trafficking. The government did not identify or refer any victims to protective services, and did not have formal procedures to identify or refer trafficking victims. Although the 2004 anti-trafficking law mandated the government to provide legal assistance, psychological and medical care, lodging, food, access to education, training, and employment opportunities to trafficking victims, it did not report providing these services to any trafficking victims, as none were formally identified. However, the government provided funding to an NGO shelter for female victims of violence including likely trafficking victims. Unlike previous years in which officials immediately deported migrants, authorities screened more than 200 irregular migrants intercepted at sea for signs of trafficking and provided temporary shelter, food, and medical services before coordinating with foreign embassies to repatriate the migrants to their countries of origin. Officials increased coordination with foreign embassies, and collaborated on four cases of suspected trafficking victims prior to repatriating the individuals after discovering that they were cases of illegal adoptions. The government had no formal policies to provide foreign trafficking victims legal alternatives to their removal to countries where they might face retribution or hardship.

Police and border officials solicited bribes from detainees—the majority of whom were young foreign men, although children and women were also detained—and deported those who did not pay. In 2017, there were no verified reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of their being subjected to trafficking; however, due to a lack of formal victim identification procedures and the reports of officials requiring bribes from detainees, some unidentified trafficking victims were likely penalized.

PREVENTION

The government increased efforts to prevent trafficking. For the first time in six years, the government convened its anti-trafficking inter-ministerial committee, although the government did not report any follow-on actions. Authorities used multiple media platforms including radio and television to raise public awareness of trafficking. In March 2018, the government began airing anti-trafficking programming on the country's two primary television channels multiple times per day. In November and December 2017, with technical support from an international organization and private sector actors, the government implemented the second phase of its anti-trafficking program, and funded training for more than 170 community leaders across the country, intended to create a civil society network knowledgeable about trafficking and able to identify and prevent human trafficking. This program built on victim identification training for 600 community leaders and law enforcement officials in December 2016. Prostitution is legal in the country and, in an attempt to decrease exploitation of vulnerable individuals, the government continued implementing regulations requiring all commercial sex establishments to register and provide contracts to their workers. However, the government did not make efforts to reduce demand for commercial sex acts. The Ministry of Labor continued to implement regulations for all companies to sign formal labor contracts with their employees; however, it did not publicize information on companies that were out of compliance. Using these regulations, the general director of the National Financial Research Agency and Ministry of Labor inspected and revoked business licenses for an undisclosed number of Chinese-owned construction companies for labor violations. The government did not implement any programs to address forced child labor despite having 13 labor inspectors dedicated to documenting labor infractions. The government did not provide anti-trafficking training for its diplomatic personnel.

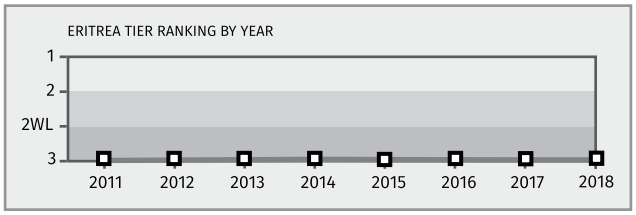
TRAFFICKING PROFILE

As reported over the past five years, Equatorial Guinea is a source country for women and girls vulnerable to sex trafficking and a destination country for men, women, and children, who may be vulnerable to forced labor. The majority of trafficking victims are exploited in the cities of Malabo, Bata, and Mongomo, where relative wealth and security make the country an attractive destination for central and West African migrant workers. Equatoguinean and foreign women are exploited in commercial sex in these cities, often by foreigners. Lower oil prices and oil production in recent years have caused a deep contraction of the country's economy leading to a decreased government budget for social welfare programming and shrinking formal economic activity. LGBTI youth are often left homeless and stigmatized by their families and society, which increases their vulnerability to trafficking. Children from nearby countries—primarily Nigeria, Benin, Cameroon, Togo, and Gabon—may be subjected to forced labor as domestic workers, market laborers, vendors, and launderers. Women from Cameroon, Benin, other neighboring countries, and the Caribbean are recruited for work in Equatorial Guinea and subjected to forced labor or forced prostitution. Civil society actors report that Ethiopian women are exploited for domestic servitude by family members in Malabo. Chinese women migrate to Equatorial Guinea for work or to engage in prostitution, and some are subjected to passport confiscation, increasing their vulnerability to forced labor. General corruption and complicity by government officials in trafficking-related offenses occurred during the reporting period.

ERITREA: TIER 3

The Government of Eritrea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Eritrea remained on Tier 3. Despite the lack of significant efforts, the government reportedly took some steps to address trafficking, including unverified claims that it imprisoned some citizens for trafficking crimes, including military officials. However, the government did not share information on its overall anti-trafficking efforts. The government continued to subject its nationals to forced labor in its citizen militia and compulsory national service by forcing them to serve for indefinite or otherwise arbitrary periods under harsh conditions. The government did not report any trafficking investigations, prosecutions, or the identification and protection of any victims. The government did not report holding any complicit officials accountable for trafficking crimes despite many credible reports of such complicity, although there were unverified reports of some officials arrested for enabling those crimes. Authorities did not report any efforts to address the lack

of formal procedures for identifying victims or referring victims to care, nor did the government report providing any services to victims. The government also continued to demonstrate a lack of understanding of the crime, regularly conflating trafficking with transnational migration or smuggling.



RECOMMENDATIONS FOR ERITREA

Develop, enact, and enforce an anti-trafficking statute that criminalizes all forms of trafficking, including sex trafficking and forced labor, clearly differentiating between emigration, smuggling, and human trafficking; enforce existing limits on the length of active national service to 18 months and cease the use of threats and physical punishment for non-compliance; investigate allegations of conscripts being forced to perform duties beyond the scope of the national service program and hold accountable those responsible, including complicit officials; exclude children younger than 18 at Sawa training academy from participation in activities that amount to military service; ensure victims and their families are not punished for crimes committed as a result of being subjected to trafficking or for fleeing government-sponsored forced labor; extend existing labor protections to persons performing national service and other mandatory citizen duties; with assistance from international organizations, provide training to all levels of government, including law enforcement officials and diplomats, on identifying and responding to trafficking crimes; and provide protective services to trafficking victims.

PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. The Eritrean Penal Code of 2015 criminalized some forms of trafficking in persons. Article 315 criminalized trafficking in women and young persons for sexual exploitation, which was punishable by up to seven years imprisonment; these penalties were sufficiently stringent, but not commensurate with punishments prescribed for other serious crimes, such as rape. Article 297 criminalized enslavement and prescribed penalties of seven to 16 years imprisonment, which were sufficiently stringent. Labor Proclamation 118 of 2001 criminalized forced labor and child labor. Penalties listed in the penal code under article 299 prescribed penalties from six to 12 months imprisonment or a fine up to 50,000 Nakfa ($3,330).

The government did not report investigating, prosecuting, or convicting suspected traffickers during the reporting period; however, it stated a large number of Eritreans were imprisoned for the crime. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking, but sources indicated Eritrean military officers remained complicit in trafficking offenses. In December 2017, unconfirmed reports claimed the government arrested 44 military officials for conspiracy to subject Eritreans to trafficking. The government did not report providing any trafficking-specific training for judicial, prosecutorial, or law enforcement personnel, and officials continued to conflate transnational migration and human trafficking crimes.

PROTECTION

The government did not report any efforts to identify or protect trafficking victims. Eritrean officials had no procedures to proactively identify trafficking victims among vulnerable groups, particularly Eritreans deported from other countries and those fleeing the country, primarily to Sudan, Ethiopia, and Djibouti; some of these nationals were vulnerable to being arrested, detained, harassed, or forcibly recalled into national service. The government did not report developing a systematic mechanism for the referral of identified trafficking victims to care. It did not provide foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

PREVENTION

The government did not demonstrate any new efforts to prevent trafficking. It continued to subject its nationals to forced labor in its citizen militia and compulsory national service. In recent years, the government reportedly educated its citizens on the dangers of trafficking through awareness-raising events and poster campaigns through the Women's Association, Youth Association, and Workers' Federation; however, such efforts continued to conflate transnational migration and human trafficking. While the Proclamation of National Service 11/199 prohibited the recruitment of children younger than 18 years of age into the armed forces and applied sufficiently stringent penalties for this crime, reports alleged children younger than age 18 were sent to Sawa military and training academy for completion of their final year of secondary education. The country remained without an independent monitoring body to verify ages of new recruits into governmental armed forces and lacked transparency on efforts to ensure children did not participate in compulsory activities amounting to military service or other forms of forced labor. The government did not report on its efforts to reduce the demand for commercial sex acts or forced labor, or its provision of anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Eritrea is a source country for men, women, and children subjected to forced labor. To a significantly lesser extent, Eritrean adults and children are subjected to sex and labor trafficking abroad. Perennially, thousands of Eritreans who fled the country sought to escape human rights abuses, including arbitrary arrest and detention, lack of due process, and religious persecution; were in search of better economic opportunities; or hoped to avoid the often indefinite periods of the government's forced labor through its national policies and mandatory programs. Eritrea's strict exit control procedures and limited issuance of passports, which compel those who cannot obtain exit visas or documents to travel clandestinely, increase its nationals' vulnerability to trafficking abroad, primarily in Sudan, Ethiopia, and to a lesser extent Djibouti and Libya, with the ultimate goal of seeking asylum in Europe or at a minimum, obtaining refugee status in Ethiopia, Kenya, Egypt, or Uganda; some also strive to reach the United States. Proclamation 82 of 1995 requires persons aged 18 to 40 years to perform compulsory active national service for a period of 18 months – six months of military training followed by 12 months of active military and development tasks in military forces or in a government-run work unit, including the Eritrean defense forces. However, the 18-month timeframe is arbitrary and unenforced; many individuals are not demobilized from government work units after their mandatory period of service but rather forced to serve indefinitely under threats of detention, torture, or familial reprisal. In 2012, the

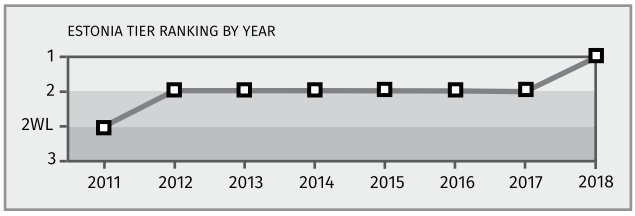
government instituted a compulsory citizen militia, requiring medically fit adults up to age 70 not currently in the military to carry firearms and attend military training or participate in unpaid national development programs, such as soil and water conservation projects. Working conditions are often harsh and sometimes involve physical abuse.

All 12th-grade students, including some younger than age 18, are required to complete their final year of secondary education at the Sawa military and training academy; those who refuse to attend cannot receive high school graduation certificates, attain higher education, or be offered some types of jobs. Government policy bans persons younger than 18 from military conscription; however, according to some organizations outside of Eritrea, the government in some instances includes children younger than age 18 in groups sent to Sawa. Reports from an international organization in previous years indicated some recruits may have been subjected to beatings, abuse, and rape, though there are no confirmed cases of this kind in the current reporting period. The government continued Maetot, a national service program in which secondary-school children are assigned to work in public works projects, usually within the agricultural sector, during their summer holidays. Some Eritrean children are subjected to forced labor, including forced begging, and some women and girls are subjected to sex trafficking within the country.

Unaccompanied minors are increasingly at risk of being subjected to violence and exploitation. Children who attempt to leave Eritrea are sometimes detained or forced to undergo military training despite being younger than the minimum service age of 18. Some Eritrean women and girls travel to Gulf States for domestic work but are subsequently subjected to sex trafficking. Smaller numbers of Eritrean women and girls are subjected to sex trafficking in Sudan; reportedly, some Eritrean men are vulnerable to sex trafficking in Israel. International criminal groups kidnap vulnerable Eritreans living inside or in proximity to refugee camps, particularly in Sudan, and transport them primarily to Libya, where they are subjected to human trafficking and other abuses, including extortion for ransom. Some migrants and refugees report being forced to work as cleaners or on construction sites during their captivity. Reports allege Eritrean diplomats, particularly those posted in Sudan, provide travel documents and legal services to Eritrean nationals in exchange for bribes or inflated fees, potentially facilitating their subjection to trafficking. Some Eritrean military and police officers are complicit in trafficking crimes along the border with Sudan.

ESTONIA: TIER 1

The Government of Estonia fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Estonia was upgraded to Tier 1. These achievements included implementing the Victim Support Act, which allowed victims to receive services without first requiring cooperation with law enforcement and granted access to services for presumed victims who chose not to participate in criminal proceedings. The government also criminalized the knowing procurement of commercial sex from trafficking victims. Although the government meets the minimum standards, it did not provide sufficient specialized training for lawyers, prosecutors, and judges on a victim-centric approach, which hampered prosecution efforts.



RECOMMENDATIONS FOR ESTONIA

Increase specialized training for investigators and prosecutors on applying section 133 and working with victims serving as witnesses; increase efforts to investigate, prosecute, and convict traffickers under section 133 of the penal code; encourage police and the labor inspectorate to investigate labor trafficking, including labor recruiters engaging in fraudulent practices; provide training for judges to ensure the judiciary understands the severity of the crime when issuing sentences; encourage more victims to assist prosecutions by facilitating access to effective legal counsel; and inform victims of the option to pursue court-ordered compensation from their traffickers.

PROSECUTION

The government maintained law enforcement efforts. Sections 133 and 175 of the penal code criminalized sex and labor trafficking. Section 133 criminalized the use of force, fraud, or coercion to induce a person to engage in prostitution, begging, criminal offenses, or other labor and prescribed penalties of one to seven years imprisonment for offenses involving adult victims and three to 15 years imprisonment for those involving child victims. Section 175 criminalized inducing a child to engage in a criminal offense, begging, prostitution, or pornography without requiring a demonstration of force, fraud, or coercion and prescribed penalties of two to 10 years imprisonment. The penalties under both section 133 and 175 were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. In July 2017, the Estonian penal code was amended to criminalize the knowing procurement of commercial sex from trafficking victims.

Police investigated 10 new cases under section 133 in 2017, a decrease from 15 in 2016. Authorities also registered 67 crimes under section 175, compared with 59 in 2016. In 2017, the government prosecuted 16 cases under section 133, an increase from 14 cases in 2016. Authorities also began prosecutions in 57 cases under section 175, an increase from 32 in the previous year. Courts convicted 14 traffickers under section 133 in 2017, an increase from 11 in 2016. All 14 traffickers received prison sentences, which ranged from two to six years. Authorities did not report convicting any traffickers under section 175, compared to eight convictions in 2016. The government continued to provide training for law enforcement officials. Government officials, including labor inspectors, national judges, and prosecutors, participated in international training seminars. The government hosted a two day forum in May 2017 for 100 participants from Nordic and Baltic countries, which supported the Nordic Council of Ministers' program to combat human trafficking. However, observers noted that defense lawyers and victims' legal counsel were often not trained on the legislation. Furthermore, while judges would benefit from specialized training, they were not receptive to it. The government reported that two judges participated in training this year. Authorities cooperated in one transnational investigation. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased protection efforts. Amendments to the Victim Support Act and the penal code were implemented in 2017, which allowed NGOs to identify victims and refer them to the Social Insurance Board, permitting victims to receive comprehensive, government-funded, trafficking-specific services without first requiring the victim's cooperation with police or the commencement of criminal proceedings. Victims who cooperated with law enforcement received services for an unrestricted time period while presumed victims who did not participate in criminal proceedings could receive government-funded services for up to 60 days. The law also guaranteed victims access to support and assistance when criminal proceedings were initiated outside of Estonia and an authority of another country identified the victim. Fourteen recognized victims and presumed victims received government-sponsored assistance in 2017, the same as in 2016. Eleven victims were Estonian, three were foreign nationals; 11 victims were women, and three were men. The government newly identified 12 victims in 2017, four of whom chose not to receive victim assistance; the government identified nine victims in 2016. Foreign victims were eligible to receive temporary residence permits, accommodation, and education; the government did not report granting residency permits to foreign victims in 2017.

In 2017, the social security board disbursed approximately €33,960 ($40,770) for trafficking victims support, whereas the government spent €196,050 ($235,350) in 2016. In addition, the Ministry of Social Affairs provided approximately €99,500 ($119,450) to an NGO providing support services to women in prostitution, some of whom may have been sex trafficking victims. Funds were disbursed based on victims' needs, rather than a specific budget. Authorities placed unaccompanied children and child victims in alternative care facilities, including a dedicated center for victims of child abuse, including sexual violence and trafficking. Adult male victims had access to legal counseling and other services. A witness protection law allowed trafficking victims to provide testimony anonymously, but authorities did not report whether this had ever been applied in a trafficking case or whether victims had ever served as witnesses in criminal trials. Six victims received restitution in two separate cases in 2017.

PREVENTION

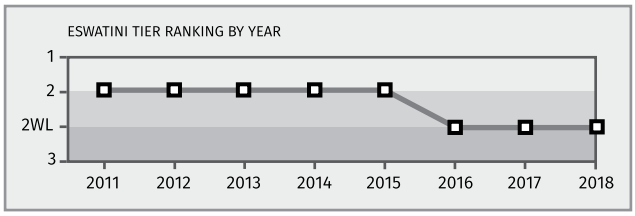
The government maintained prevention efforts. Authorities ran a series of campaigns, in Estonian and Russian, designed to increase awareness of labor exploitation, risks of commercial sex, and forced criminality of children. The government continued to fund and implement the 2015-2020 plan for reducing violence, including trafficking. The anti-trafficking working group, comprising 35 government agencies and NGOs, continued to meet regularly and published an annual public report of its activities. The government provided an NGO with approximately €38,000 ($45,620) to operate an anti-trafficking hotline; the hotline received 377 calls from individuals vulnerable to trafficking during the reporting period and was managed by a multilingual staff. The government provided anti-trafficking training for its diplomatic personnel. The government demonstrated efforts to reduce the demand for commercial sex acts and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Estonia is a source, transit, and destination country for women and girls subjected to sex trafficking and for men, women, and children subjected to forced labor. Estonian women and children are subjected to sex trafficking within Estonia and in other European countries. Women are increasingly exposed to trafficking as a result of sham marriages outside of Estonia; the women enter the marriages willingly, but their passports are confiscated and they are forced into prostitution or labor. Men and women from Estonia are subjected to conditions of forced labor within Estonia and elsewhere in Europe, particularly in the construction, cleaning, and social welfare sectors, as well as in seasonal jobs. Estonian children are forced to commit crimes, such as theft, to benefit their exploiters. Men from Ukraine, Moldova, Belarus, and Georgia are subjected to labor exploitation within Estonia, particularly in construction, agriculture, and forestry. Stateless residents in Estonia were especially vulnerable to trafficking. Vietnamese nationals subjected to forced labor and sexual exploitation transit Estonia en route to other EU countries.

ESWATINI: TIER 2 WATCH LIST

The Government of Eswatini, previously known as Swaziland, does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating and prosecuting trafficking cases; improving implementation of the victim identification guidelines and national referral mechanism; and cooperating with a foreign government in investigating several cases, repatriating victims, and building regional capacity. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict anyone on trafficking charges for the sixth consecutive year and labor brokers were unregulated, leading to increased vulnerability to trafficking. Deficiencies in the law continued to leave victims without legal protections, and draft legislation designed to address those gaps remained pending for a third consecutive year. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Eswatini was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Eswatini remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR ESWATINI

Enact and implement the draft Trafficking in Persons and Migrant Smuggling Bill or otherwise provide greater legal protections for victims; vigorously investigate and prosecute trafficking crimes, including internal trafficking cases, and convict and adequately punish traffickers whose culpability has been established through the judicial process; implement the national anti-trafficking strategy and action plan; continue training officials on procedures for victim identification and referral guidelines; ensure all victims of trafficking are provided with appropriate and comprehensive care; continue training law enforcement officials and social workers to identify trafficking

victims proactively among vulnerable populations; regulate labor brokers and investigate allegations of fraudulent recruitment; implement a unified system for collecting trafficking case data for use by all stakeholders; and conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The 2009 People Trafficking and People Smuggling (Prohibition) Act prescribed penalties of up to 20 years imprisonment for the trafficking of adults and up to 25 years imprisonment for trafficking children, which were sufficiently stringent, and with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the government did not finalize or adopt implementing regulations for the law. The draft Trafficking in Persons and Migrant Smuggling bill, which would repeal the existing act and provide protections for victims, remained pending for a third consecutive year.

The government investigated 14 suspected trafficking cases—eight cases of forced labor, two sex trafficking cases, and three cases of an unknown type of exploitation—compared with 19 the previous year. The government initiated prosecutions of three alleged traffickers compared with one during the previous reporting period and did not convict anyone on trafficking charges for the sixth consecutive year. Officials continued to confuse crimes involving transnational movement with trafficking offenses. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government partnered with an international NGO to deliver two training sessions. The first trained 35 government officials and front-line responders on how to apply a victim-centered approach and use the national referral mechanism to refer victims to protective services. The second session trained 17 law enforcement officers, 14 magistrates, and 10 judges on the effects of trauma on victim-witnesses, how to avoid re-traumatization, and a discussion of how to overcome common evidentiary challenges through a broader analysis of trafficking cases from the Southern African Development Community (SADC) region. The government continued to provide anti-trafficking training at the police college for all in-service and pre-service officers and trained 598 new police recruits during the reporting period. The government provided technical assistance to the Government of Zimbabwe by facilitating the review and finalization of a new training manual on trafficking in the region. The government cooperated with the South African government in several investigations and participated in regular coordination meetings. In one case, the South African Police Service raided a Chinese-owned factory and identified an unknown number of Swazi labor trafficking victims.

PROTECTION

The government maintained efforts to identify victims and allocated more funding to provide protective services. The government identified and sheltered 14 potential victims in two NGO-operated shelters, a decrease from 19 the previous reporting period. The government provided victims with basic necessities such as food, clothing, shelter, toiletries, counseling, and medical care in collaboration with NGOs. There were no government-run shelters specifically for trafficking victims and NGO-run shelters had limited ability to house trafficking victims among their general populations due to space constraints. The government increased its allocation to a victim assistance fund for protective services to 80,000 Swazi emalangeni ($6,500). An NGO raised concerns about the government's provision of care for victims of trafficking, citing cases where victims were not allowed to communicate with their families or have freedom of movement.

The government improved its implementation of the victim identification guidelines and national referral mechanism, which were established in 2015. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking. For the second consecutive year, the government did not finalize review of amendments to the immigration act that would provide victims and witnesses of trafficking immunity from prosecution and would formalize residency status for foreign victims, in conformity with the People Trafficking and People Smuggling (Prohibition) Act. While the draft amendments remained under review, the government developed an ad hoc process among relevant ministries to permit identified victims to remain in Eswatini even if discovered to be present illegally. The government facilitated the repatriation of at least five victims during the reporting period; in one case, the anti-trafficking secretariat coordinated with South Africa and an international organization to safely repatriate one victim to Eswatini.

PREVENTION

The government increased efforts to prevent trafficking. The government updated its national action plan (NAP) through 2020. The task force for the Prevention of People Trafficking and People Smuggling was reestablished in January 2017 after a four-month lapse and met in February, April, and August 2017. In partnership with an NGO, the anti-trafficking secretariat conducted an analysis on capacity gaps in order to improve prosecution, protection, and prevention of trafficking. The task force secretariat conducted public awareness activities at the Eswatini international trade fair, targeting traditional leaders, students, young women, and parents with information on preventing child trafficking and how to report suspected cases. The secretariat conducted sessions on human trafficking at schools with the assistance of teachers and police officers. Department of Immigration officials presented messages on television and radio to raise awareness of trafficking. The secretariat continued its border campaign, placing posters at various land borders and the airport to raise awareness on trafficking. Swazi officials also presented messages targeting young women on television and radio. The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. The government's anti-trafficking hotline continued to receive tips on potential cases; the government did not report how many tips it received or what action it took.

The Ministry of Labor did not have dedicated investigators focusing solely on child labor; however, all labor inspectors were required to investigate child labor issues in the course of their routine inspections. There were no labor inspections conducted solely to address child labor violations in 2017. Labor brokers were unregulated. The government did not make efforts to reduce the demand for commercial sex or forced labor. The government provided anti-trafficking training for its diplomatic personnel.

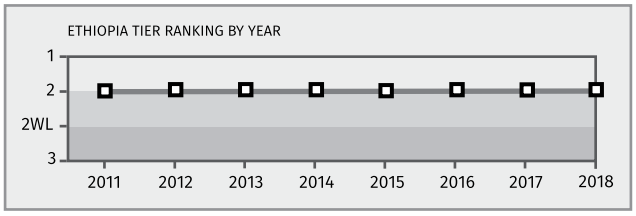
TRAFFICKING PROFILE

As reported over the past five years, Eswatini is a source, transit,

and, to a lesser extent, destination country for men, women, and children subjected to sex trafficking and forced labor. Swazi trafficking victims come primarily from poor communities with high HIV/AIDS prevalence rates. Swazi girls, particularly orphans, are subjected to sex trafficking and domestic servitude, primarily in Eswatini and South Africa. Swazis are culturally expected to participate in the seasonal weeding and harvesting of the king's fields, and there have been isolated reports that some local chiefs coerce participation in such cultural events. Swazi boys and foreign children are forced to labor in agriculture, including cattle herding, and market vending within the country. Mozambican boys migrate to Eswatini for work washing cars, herding livestock, and portering; some are subjected to forced labor. Traffickers use Eswatini as a transit country to transport foreign victims to South Africa for forced labor. Traffickers reportedly force Mozambican women into prostitution in Eswatini, or transport them through Eswatini to South Africa. Some Swazi women are forced into prostitution in South Africa after voluntarily migrating in search of work. Reports suggest labor brokers fraudulently recruit and charge excessive fees to Swazi nationals for work in South African mines—means often used to facilitate trafficking crimes. Swazi men in border communities are recruited for forced labor in South Africa's timber industry.

ETHIOPIA: TIER 2

The Government of Ethiopia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ethiopia remained on Tier 2. The government demonstrated increasing efforts by assisting in the interception of more than 10,000 individuals vulnerable to trafficking and convicting more than 180 traffickers. The government improved oversight of recruitment agencies; more strenuously penalized illegal recruitment activity; and increased its efforts to raise awareness on trafficking and trafficking-related crimes through its community conversations project and media campaigns. However, the government did not meet the minimum standards in several key areas. The government did not sufficiently address internal trafficking, including child sex trafficking, and lacked standard procedures for front-line responders to proactively identify trafficking victims among vulnerable migrants. Protective provisions for male victims remained inadequate, and for the second consecutive year, Ethiopian officials did not allocate funding for the implementation of its national action plan.



RECOMMENDATIONS FOR ETHIOPIA

Increase efforts to prosecute and convict traffickers for both sex trafficking and internal trafficking offenses; continue to implement and train law enforcement and judicial officials on the anti-trafficking proclamation; develop standardized procedures for the proactive identification and referral of internal trafficking victims; fully implement the 2016 national referral mechanism and promulgate it to all critical regions; extend protective services to male victims of trafficking; fully implement the overseas employment proclamation, by continuing to strengthen oversight of overseas recruitment agencies, assigning and training labor attaches, and investigating and prosecuting illicit recruiters; expand trafficking training for labor officials who validate employment contracts or regulate employment agencies; improve screening procedures in the distribution of national identification cards and passports to prevent their fraudulent issuance to children; incorporate information on human trafficking and labor rights in Middle Eastern and other countries into pre-departure training provided to all migrant workers; ensure awareness campaigns reach all parts of rural Ethiopia; and, allocate funding toward full implementation of the national action plan.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts; however, it continued to focus on transnational labor trafficking, with negligible efforts to investigate or prosecute sex trafficking or internal forced labor cases. The 2015 anti-trafficking Proclamation, No.909/2015, criminalized labor trafficking and sex trafficking, prescribing penalties of 15 to 25 years imprisonment and a fine of 150,000 to 300,000 Ethiopian birr ($5,515 to $11,030), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. For aggravated offenses, the law increased penalties to 25 years to life imprisonment, along with a fine of 200,000 to 500,000 Ethiopian birr ($7,350 to $18,380). Aggravated offenses included any exploitation that was committed against a child, woman, or anyone impaired; resulted in physical or psychological harm; committed using drugs or weaponry; or, carried out by a government official, civil servant, or family member. The Employment Exchange Services Proclamation No.923/2016, which governed the work of licensed labor recruitment agencies, contained various penalties for an employment agency's failure to comply with its provisions, and provided that furnishing falsified evidence or documents or advertisements in order to recruit or deploy a worker entails criminal liability; however, it did not specify what portion of the Criminal Code will apply.

For calendar year 2017, federal and regional justice officials convicted 182 traffickers under the 2015 anti-trafficking proclamation, and 82 verdicts remained pending at the close of the reporting period; this is compared to 640 convictions in 2016 and 69 convictions in 2015, in which some cases in previous years likely involved smuggling and other crimes often conflated with trafficking. The government did not report any investigations, prosecutions, or convictions of public officials allegedly complicit in human trafficking offenses. Financial and capacity constraints continued to impede data compilation by regional police, and poor communication and coordination between the regions and the federal government also hindered effective law enforcement efforts. The government continued to partner with international organizations to conduct and fund trainings for regional and federal government personnel on the 2015 anti-trafficking proclamation, victim-centered investigations, and detecting trafficking crimes. The government spent 1 million Ethiopian birr ($36,760) to train 110 labor inspectors and funded the purchase of 500,000 Ethiopian birr ($18,380) worth of monitoring equipment for their inspections.

PROTECTION

The government modestly increased its efforts to protect trafficking victims. The government continued to partner with international organizations and NGOs to identify and provide services to victims; although it did not allocate funding to these entities, it provided some in-kind support, including land, facilities, staff, and other logistical support services on an ad hoc basis. The 2009 charities and societies proclamation, which prohibits organizations receiving more than 10 percent of their funding from foreign sources from engaging in activities that promote human rights, restricted some NGOs' ability to provide protective services to trafficking victims. The government remained without a formal mechanism to proactively identify potential trafficking victims. In 2017, federal and regional governments intercepted 10,655 persons in the border areas of Ethiopia, the vast majority of whom were intending to depart for work in Gulf states and other African countries, and many were minors—populations most vulnerable to trafficking. The government supported 167 children at risk of, or exploited in, sex trafficking in Amhara. The government continued to jointly operate two migration response centers in Afar and Metema with an international organization, and provided rent-free usage of the facilities. The government maintained operation of child protection units in Addis Ababa and several major cities; staff was trained in assisting vulnerable children, including potential trafficking victims. Police and civil service transport workers—trained to recognize child trafficking victims—referred the majority of intercepted children to local shelters. In 2017, one NGO cooperated with the local police to identify traffickers, and intercepted, rehabilitated, and provided psycho-social support for more than 1,000 internal child trafficking victims. Another NGO—focused on transnational cases—maintained provisions of comprehensive re-integration services, familial reunification, medical care, mental health counseling, legal counsel, food and housing, and vocational training for women and children. There continued to be a dearth of care available for male trafficking victims. During the year, the government, in collaboration with an international organization, repatriated more than 10,000 Ethiopian migrants from Saudi Arabia. In addition, an international organization helped repatriate and provided post-arrival assistance for more than 2,690 Ethiopians from the Gulf states. Since the government lacked funding to repatriate all of its nationals, it assisted with victim identification services in respective countries and sometimes negotiated discounted air fares for returnees. Some Ethiopian diplomatic missions in the Gulf states and Sudan had shelters for trafficking victims on respective mission compounds where they could stay temporarily, and the missions engaged with host government authorities on the individual's behalf.

The 2015 anti-trafficking proclamation established a fund to support victim protection and rehabilitation efforts; however, the government did not report efforts to begin financial allocations to and administration of the fund. Implementation of the national mechanism for referring repatriated trafficking victims to social services remained limited for the second consecutive year. Under the national referral mechanism, the anti-trafficking task force is the lead coordinator for referring trafficking victims to services, but an international organization and other government entities play vital roles. The mechanism incorporates special identification and screening tactics for child trafficking victims, in addition to the profiling of voluntary returnees and deportees at the Bole International Airport. During the reporting period, the anti-trafficking task force, in partnership with an international organization, promulgated the referral mechanism in two critical regions: Tigray and Southern Nations, Nationalities, and People's Region (SNNPR). In addition to the national referral mechanism, regional governments work with local and federal police to refer victims to shelters and other protective services. However, the government continued to lack standardized proactive screening procedures to detect potential trafficking victims.

While officials reported encouraging victims in some cases to assist in the investigation and prosecution of their traffickers, the number of victims who took an active role in these processes was unknown and it was unclear whether the government provided them legal assistance or other support to facilitate their doing so. The 2015 anti-trafficking proclamation extends to trafficking victims protections outlined under the Witness and Whistleblowers Protection Proclamation (No.699/2010), which included protection from prosecution for crimes committed as a result of being subjected to trafficking. However, Ethiopian law did not provide alternatives to the deportation of foreign victims to countries where they may face hardship or retribution. There were no reports any trafficking victims were deported without proper screening or detained, fined, jailed, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking in 2017; however, the government housed at police stations some victims who were waiting to provide testimony in their respective trafficking cases.

PREVENTION

The government increased efforts to prevent trafficking. In 2016, parliament approved a second National Human Rights Action Plan spanning 2016-2020, which included various activities to curb trafficking, including a media campaign and increased efforts in urban centers to assist women and child victims; however, for the second consecutive year, the government did not allocate funding dedicated to the action plan's implementation. The anti-trafficking task force increased its activity by meeting monthly and organizing itself into four subgroups focused on awareness raising and monitoring, reintegration, research and evaluation, and prosecution. The Attorney General's Office, in conjunction with an international organization and academic institution, published a trafficking manual, screened an anti-trafficking movie in various districts in Amhara, and conducted a training for task force members on best practices in public awareness-raising. The SNNPR government trained 1,500 employees on generating awareness in their communities and instituted a new program to inform residents on how to collect and protect their new passports. Local and regional state governments, in collaboration with an international organization, continued to host and facilitate hundreds of "community conversations" sessions throughout the country, reaching hundreds of thousands of Ethiopians in attempts to raise awareness of trafficking. Officials in the Amhara region produced television and radio public service announcements and interviews to elevate the public's awareness of the dangers of trafficking, which, in addition to the general public, strategically reached religious and traditional leaders, elders, and media personnel. However, the aforementioned awareness campaigns did not reach all parts of rural Ethiopia, and there remained a serious lack of awareness of the dangers of irregular migration and human trafficking.

The revised employment exchange proclamation came into effect in the previous reporting period—paving the way for greater oversight of private employment agencies, placement of labor attachés in Ethiopian embassies abroad, and establishment of an independent agency to identify and train migrant workers; however, the revised proclamation was still not fully implemented during the current reporting period.

Two new components of the proclamation stipulated rules for licensing and advertising for overseas employment, in addition to penalties for employment agencies that contravened the revised employment proclamation (e.g. false advertisement, passport confiscation, and rights violations). In January 2018, the government ceased its 2013 ban on the recruitment of low-skilled domestic workers to the Middle East; since the lifting of the ban, labor officials received 300 applications for private employment agencies to commence operations in Ethiopia. The revised proclamation required employment agencies to deposit 1 million Ethiopian birr ($36,760) in a bank as insurance, which would be used to assist and repatriate trafficking victims. The government applied stringent application requirements and determined only 20 agencies were in compliance and merited licensing. In 2017, the government employed 2,560 labor inspectors who carried out approximately 55,000 labor inspections at formal work sites; however, it did not report numbers of license or agency suspensions or labor law violations as a result of these inspections. For the second consecutive year, the government remained in negotiation with Saudi Arabia and the United Arab Emirates on bilateral employment agreements; Ethiopia had such agreements in place with Qatar, Kuwait, and Jordan. These agreements require signatories to commit to ethical recruitment, legal remedies against those who violate the law, and equal protection of Ethiopian workers, to include equal wages for equal work, reasonable working hours, and leave time. Memoranda remained in place with neighboring African countries—particularly Djibouti, and on an ad hoc basis with Kenya and Sudan—and aimed to address joint border management to include repatriation assistance for trafficking victims; however, these did not explicitly address workers' rights.

Ethiopian officials continued efforts to implement a 2012 law requiring registration of all births nationwide; however, the lack of a uniform national identity card continued to impede implementation of the law and allowed for the continued issuance of district-level identity cards, which is subject to fraud. The government did not report efforts to reduce the demand for commercial sex acts or child sex tourism during the reporting period. Together with clothing designers, the government developed a certification program to label clothing as child labor-free so buyers can support businesses that do not use child labor. A foreign donor and facilitator provided Ethiopian troops with anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Ethiopia is a source and, to a lesser extent, destination and transit country for men, women, and children subjected to forced labor and sex trafficking. Scarce economic opportunities and dire poverty coupled with familial encouragement compels thousands of Ethiopians, including a substantial percentage of minors, to transit, primarily via Djibouti or Somalia, to Yemen and onward to Saudi Arabia; increasingly to cross the border illegally into Kenya, destined for South Africa for flights to Ecuador with a final destination of the United States or Canada; or, least commonly of the three routes, to travel through Sudan and Libya with the hope of crossing the Mediterranean and ultimately reaching Europe. Reports suggest that along these three routes, irregular Ethiopian migrants who began their journeys voluntarily are subsequently vulnerable to sexual exploitation or forced labor in transit countries and in their intended destinations. An international organization reported an uptick in the number of minors traveling along the eastern migration route towards Yemen, hoping to reach Saudi Arabia. Typically, young men and women migrate west via Sudan aiming for Europe, while young women tend to travel through Eritrea or Djibouti to secure domestic work in Saudi Arabia. The Ethiopian government lifted its October 2013 ban on domestic worker employment in the Gulf states in January 2018; the ban has contributed to irregular migration and trafficking. Saudi Arabia remains the primary destination for irregular migrants, representing 80-90 percent of Ethiopian labor migration; reportedly, over 500,000 Ethiopians reside there. From March to November 2017, Saudi Arabia offered an amnesty period, declaring that all irregular migrants can voluntarily leave the country; an international organization reported more than 100,000 migrants returned to Ethiopia during this timeframe, of which nearly 65,000 were deportees and more than 70 percent male. Many Ethiopian women working in domestic service in the Middle East are subjected to severe abuses, including physical and sexual assault, denial of salary, sleep deprivation, passport confiscation, and confinement. Ethiopian women who migrate for work or flee abusive employers in the Middle East are also vulnerable to sex trafficking. Ethiopian men and boys migrate to the Gulf states and other African nations, where some are subjected to forced labor.

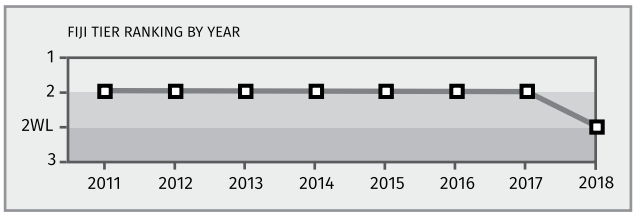
An international organization reported the severe drought in 2015-2016 increased instances of internal trafficking. Furthermore, ongoing displacement among Ethiopia's regions created vulnerability to trafficking. For example, following protracted conflict in the Oromia region in late 2016, Djibouti reported a sharp increase in ethnic Oromo asylum-seekers entering the country. Current accounts document ethnic Tigrayans move from the Amhara region into Tigray to escape ethnically-based unrest in Amhara. Internally displaced persons—a population vulnerable to trafficking—numbered more than one million in 544 displacement sites across nine regions.

Families continue to play a major role in financing irregular migration, and may force or coerce their children to go abroad or to urban areas in Ethiopia for employment. An international organization assesses that most traffickers are small local operators, often from the victims' own communities, but that well-structured, hierarchical, organized crime groups are also responsible for irregular migrants becoming highly susceptible to trafficking. Labor recruiters target young people from Ethiopia's vast rural areas with promises of a better life. Girls from Ethiopia's impoverished rural areas are exploited in domestic servitude and commercial sex within the country, while boys are subjected to forced labor in traditional weaving, construction, agriculture, and street vending. Addis Ababa's central market is the site of numerous brothels, where some young girls are exploited in commercial sex. Ethiopian girls are exploited in domestic servitude and commercial sex in neighboring African countries, particularly Djibouti and Sudan. Ethiopian boys are subjected to forced labor in Djibouti as shop assistants, errand boys, domestic workers, and street beggars, in addition to forced criminality. Child sex tourism continues to be a problem in major hubs, including Addis Ababa, Bahir Dar, Hawassa, and Bishoftu.

FIJI: TIER 2 WATCH LIST

The Government of Fiji does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated

significant efforts during the reporting period by investigating six trafficking cases, prosecuting three suspected traffickers, providing services to six victims, providing anti-trafficking training to police recruits, and acceding to the 2000 UN TIP Protocol. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers for the third consecutive year or dedicate sufficient resources to officials leading anti-trafficking efforts. It did not proactively screen for trafficking victims among vulnerable groups, particularly children exploited in sex trafficking, or take steps to implement its anti-trafficking national action plan. Therefore Fiji was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR FIJI

Dedicate and increase resources for the police anti-trafficking unit; develop and implement formal victim identification and referral procedures; proactively screen vulnerable groups, such as foreign migrant workers on fishing vessels, those allegedly involved in prostitution, and exploited children, for trafficking; increase efforts to investigate and prosecute trafficking offenses, and convict and punish traffickers, including by improving interagency coordination; amend the Crimes Act to criminalize all forms of trafficking in persons, including forced labor; update and implement the 2011 anti-trafficking national action plan; designate a government agency responsible for coordinating victim services; make efforts to allow identified trafficking victims to work and earn income while assisting with investigations; and increase dissemination of labor and sex trafficking awareness campaigns.

PROSECUTION

The government maintained law enforcement efforts. The 2009 Crimes Act criminalized some forms of labor trafficking and all forms of sex trafficking. Sections 112-117 criminalized trafficking in persons but, inconsistent with international law, required either transnational or domestic movement in order to constitute a trafficking offense. These articles prescribed penalties of up to 20 years imprisonment for movement-based trafficking offenses involving adult victims, and up to 25 years imprisonment for those involving child victims; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as kidnapping. While sections 103 and 118 criminalized slavery and debt bondage respectively, all forms of labor trafficking were not criminalized under the Crimes Act. The law prescribed penalties of up to 25 years imprisonment for slavery, and penalties of up to one year imprisonment for debt bondage involving an adult victim and up to two years imprisonment for those involving a child victim; the penalties for slavery were sufficiently stringent, while the penalties for debt bondage were not. Sections 226 and 227 criminalized the buying or selling of children for "immoral purposes," which included prostitution, and prescribed penalties of up to 12 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as kidnapping. Section 106 criminalized sexual servitude by means of force or threat and prescribed penalties of up to 15 years imprisonment if the offense involved an adult victim, and up to 20 years imprisonment if the offense involved a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as kidnapping. Section 107 criminalized "deceptive recruiting for sexual services," including inducing and maintaining individuals in prostitution through deceptive means, and prescribed penalties of up to seven years imprisonment if the offense involved an adult victim and up to nine years imprisonment if the offense involved a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as kidnapping.

The police anti-trafficking unit investigated six new cases in 2017 (five in 2016); five cases involved labor trafficking and one involved child sex trafficking. The government initiated prosecutions of three alleged traffickers (three in 2016) and obtained zero trafficking convictions for the third consecutive year. The police anti-trafficking unit did not have dedicated or adequate resources to effectively conduct trafficking investigations and other anti-trafficking activities. Weak interagency collaboration between police and prosecutors impaired the government's pursuit of trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government decreased efforts to identify and protect victims. The police anti-trafficking unit identified six trafficking victims (nine in 2016), including five Filipino men who were subjected to forced labor in construction. Despite reports of child sex trafficking, the government identified only one Fijian child subjected to sex trafficking for the second consecutive year. The government provided shelter for the foreign victims in government safe houses and provided mental health treatment for the child victim. Police officials reported using informal guidelines to identify potential trafficking victims and the government reported providing training for labor inspectors on victim identification, which it did provide in the previous reporting period. The government continued to fund anti-trafficking training for new police recruits, but authorities did not proactively identify victims of trafficking among vulnerable populations; all victims identified during the reporting period were initially referred to police by members of civil society. There were no reports that officials detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, however the lack of proactive screening may have resulted in the penalization of unidentified victims. The government did not develop a formal mechanism to refer victims to services as set out in its national anti-trafficking action plan, and did not designate an agency to coordinate victim services. The government made available accommodation, legal aid, medical care, interpreters, and allowances for basic necessities. The government apportioned funds to operate safe houses for trafficking victims, asylum-seekers, and migrants awaiting deportation; four children's homes operated by the government were available to shelter victims younger than 21 years of age. The government did not offer legal alternatives to foreign victims' removal to countries in which they would face retribution or hardship or allow foreign victims to work

while assisting with investigations. Victims had the right to file for civil remedies, but none took advantage of that legal right.

PREVENTION

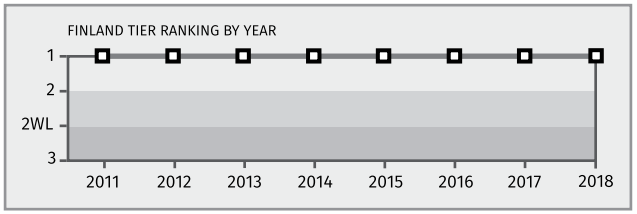
The government maintained efforts to prevent trafficking. The government completed an anti-trafficking national action plan in 2011 but had not taken steps to implement the plan. The interagency trafficking task force has not been active since 2012. The police anti-trafficking unit conducted public awareness campaigns and seminars aimed at children and parents. Immigration and labor officials conducted awareness programs targeted at Fijians who work overseas to prevent labor exploitation. Immigration officials did not routinely take steps to investigate or verify the legitimacy of employers of migrant workers. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to Fijian military personnel prior to their deployment abroad as part of international peacekeeping missions. The government acceded to the 2000 UN TIP Protocol during the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, Fiji is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Fijian women and children are subjected to sex trafficking and domestic servitude. Family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels have allegedly exploited Fijian children in sex trafficking. Some Fijian children are at risk of human trafficking as families follow a traditional practice of sending them to live with relatives or families in larger cities, where they may be subjected to domestic servitude or coerced to engage in sexual activity in exchange for food, clothing, shelter, or school fees. Women from China, Thailand, and other East Asian countries are exploited in illegal brothels posing as massage parlors and spas, local hotels, and private homes. Fijian adults working overseas, including in Australia and New Zealand, are vulnerable to forced labor, particularly in the construction and agriculture industries. Workers from South and East Asian countries are subjected to forced labor in small and informal farms and factories, construction, and on fishing vessels that transit through Fiji or board fishing vessels (mainly China and Taiwan-flagged) from Fiji ports and waters.

FINLAND: TIER 1

The Government of Finland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Finland remained on Tier 1. The government demonstrated serious and sustained efforts by creating a national referral mechanism and allocating funds for its implementation. The government also prosecuted more suspected traffickers. Although the government meets the minimum standards, a shift in focus to terrorism and immigration depleted law enforcement anti-trafficking resources and led to the pursuance of some trafficking cases under non-trafficking statutes, which affected victims' access to services and residency benefits.



RECOMMENDATIONS FOR FINLAND

Vigorously investigate and prosecute sex and labor trafficking cases using the trafficking statute and impose strong sentences on convicted traffickers; expand access to victim services regardless of whether an alleged perpetrator is prosecuted and irrespective of the statutes under which an alleged perpetrator is being prosecuted; increase the number of judges and police who specialize in trafficking cases and allocate sufficient resources to law enforcement units for trafficking investigations; expand efforts to train law enforcement officials, prosecutors, and judges on applying the trafficking law; implement the national referral mechanism for all sectors of the government and train officials in its use to proactively identify potential victims and refer them to services; develop, publish, and implement a national action plan for 2018; and expand worker protection laws to include seasonal workers on commission.

PROSECUTION

The government increased law enforcement efforts. Law 1889-39 of the penal code criminalized sex and labor trafficking and prescribed sentences of up to six years imprisonment with fines. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government continued to use laws against pandering, discrimination, and usury, among others, to investigate and prosecute some suspected traffickers; the penalties for these crimes were generally far less severe than those for trafficking crimes. In 2017, the government reported initiating 77 investigations of trafficking cases (including 22 labor and 30 sex trafficking cases), compared with 74 cases in 2016 (including 16 labor and 35 sex trafficking cases). Authorities initiated prosecution of 11 cases (approximately two thirds labor and one third sex trafficking) involving an unknown number of suspected traffickers in 2017 (four and eight, respectively, in 2016). Finnish courts convicted six traffickers, five for labor and one for sex trafficking, (six in 2016); sentences ranged from 12 months to 29 months imprisonment. Finnish authorities collaborated with Spanish police to prosecute and convict a Finnish resident, who coordinated the transport of Nigerian women through Spain to Finland for the purposes of sexual exploitation. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

A shift in focus to combating illegal immigration and terrorism strained law enforcement anti-trafficking resources and effectiveness. Consequently, there was one law enforcement official dedicated to investigating trafficking, compared with three in previous years. Experts called for specialized anti-trafficking law enforcement units and for further training for judges. The government designated four special prosecutors from different regions to handle serious crimes, including trafficking cases, and provided annual training for prosecutors. Law enforcement and border guard personnel received anti-trafficking instruction as part of their basic training; law enforcement personnel received additional trafficking awareness training throughout their careers. Furthermore, a law

enforcement working group composed of the prosecutor's office, border guard, police, and other government agencies met every second month to share best practices on combating trafficking. The national network of anti-trafficking experts participated in regional meetings to discuss anti-trafficking efforts.

PROTECTION

The government increased protection efforts. The government provided both direct care and funding for third-party care through an asylum reception center that coordinated the national victim assistance system. Police were required to refer potential victims to the assistance system immediately upon identification, where they were eligible for emergency assistance. The national victim assistance system admitted 127 potential trafficking victims in 2017 (including 58 labor and 46 sex trafficking victims), of which 14 were children; most were exploited prior to their arrival in Finland. Comparably, the assistance system admitted 130 victims in 2016 (21 were children). The majority of victims who sought assistance were subjected to work-related exploitation. The assistance system experienced a surge in the number of asylum-seekers referred, most notably Nigerian women, who account for the majority of sex trafficking victims. The government created a national referral mechanism for victim identification and assistance and allocated €505,000 ($606,240) for implementation and related programs, including trainings, victim support services, and research. The government also allocated €125,000 ($150,060) for the development of separate referral guidelines for health professionals and social workers. Despite these measures, law enforcement and immigration officials noted victim identification remained a challenge for the government.

Finnish law required law enforcement to pursue the cases of victims subjected to trafficking within Finland specifically as trafficking crimes in order for victims to continue receiving services through the assistance system beyond the initial emergency. Services offered include psychological, medical, and legal assistance and shelter. There was one government-funded shelter specifically for trafficking victims, though it accepted only women and their children. Most trafficking victims sheltered in private accommodations. Child services assigned unaccompanied child victims a guardian to serve as a legal representative. Finnish children who could not return to their families were placed in foster care, while unaccompanied migrant children were placed in a migrant reception center specifically for children. In 2017, the government spent €955,000 ($1.1 million) on trafficking victim assistance and protection, compared with €815,800 ($979,350) in 2016. In addition, the government allocated approximately €515,000 ($618,250) for services and projects to multiple organizations. Local municipalities provided additional funding for victim services for Finnish citizens.

Finnish law allowed foreign victims a six-month reflection period during which they could receive care and assistance while considering whether to assist law enforcement, and the law allowed legal residents a three-month reflection period. Victims could receive renewable temporary residence permits, which were valid for six to 12 months and allowed victims to seek employment. The government offered continuous residence permits to three victims in particularly vulnerable positions in 2017 (six in 2016). Authorities provided temporary residence permits to one trafficking victim and renewed 13 permits. In instances where victims did not possess a national passport, the government could grant a temporary alien passport. According to officials, all victims accepted into the assistance system consented to cooperate with police in the prosecution of their traffickers; however, in cases where victimization occurred outside of Finland, which was the case for the majority of victims identified, and the conditions of the relevant jurisdiction made law enforcement cooperation unlikely, police did not open a criminal investigation. Although there was no formal witness protection program, courts had the authority to conceal witnesses' identities and police could place victims in temporary safe locations.

PREVENTION

The government increased prevention activities. The national anti-trafficking coordinator implemented the national action plan for 2016-2017; the government provided €280,000 ($336,130) for implementation. The national coordinator maintained a government-wide coordination structure of trafficking prevention offices within each ministry and engaged regularly with NGOs. The national coordinator departed his position in February 2018; the government was in the process of filling the position at the end of the reporting period. The non-discrimination ombudsman, in her capacity as the national rapporteur, began a new research project assessing trafficking cases in Finland to evaluate how victims use the assistance system. With government funds, an international organization created an anti-trafficking curriculum for educational organizations and guidelines for trafficking victim identification for passenger ferry personnel in the Baltic Sea and employers of seasonal workers. The government allotted €20,000 ($24,010) for the development of guidelines for private sector employers to detect labor trafficking. The national assistance system maintained a hotline and website in multiple languages exclusively for trafficking victims. In response to the vulnerability facing berry pickers, who were not covered under worker protection laws, the government conducted assessments of berry industry companies to prevent labor exploitation and required companies to agree to a general code of conduct. The government convened with representatives from the private sector and NGOs to share risk assessment tools that could expose labor trafficking within subcontracting supply chains. Finland's laws against child sex tourism had extraterritorial reach, although the government did not investigate or prosecute any perpetrators. The government provided anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions.

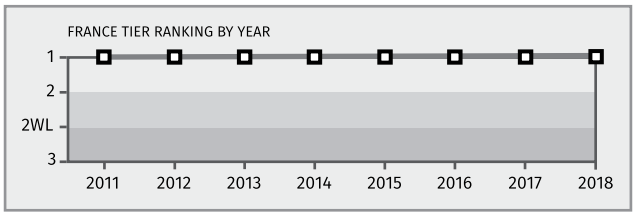
TRAFFICKING PROFILE

As reported over the past five years, Finland is a transit, destination, and limited source country for women and girls subjected to sex trafficking and for men and women subjected to forced labor. Traffickers operate from abroad using threats of violence, debt leverage, and other forms of coercion. Victims originate primarily in Eastern Europe, West Africa, and Asia. Authorities report a surge in potential trafficking victims among rejected asylum-seekers returning to Finland under the Dublin Agreement, including a rise in the number of individuals exploited prior to their arrival in Finland, such as Nigerian women who account for the majority of sex trafficking victims. Reports indicate new victims entering the system include young men who had been subjected to the practice of *bacha bazi* in their home countries prior to moving to Finland. Foreign-born workers and immigrants, many of whom arrive in Finland legally, are especially vulnerable to exploitation in the construction, restaurant, agriculture, metal, and transport industries, and as cleaners, gardeners, and domestic workers. Law enforcement note most labor trafficking involves small-

scale operations in businesses such as restaurants and massage parlors, rather than larger criminal syndicates. Seasonal berry pickers, many of whom are Thai, are especially vulnerable to labor exploitation.

FRANCE: TIER 1

The Government of France fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore France remained on Tier 1. The government demonstrated serious and sustained efforts by increasing international assistance and capacity building to prevent trafficking and adopting a new law requiring large companies to create plans to prevent labor exploitation by sub-contractors. Although the government meets the minimum standards, it lacked coordinated and comprehensive data on trafficking, some child victims of forced begging and criminality were arrested and prosecuted without being screened for trafficking indicators, and children identified by the government as victims experienced a significant variance in the quality of shelters. The government did not report the number of prosecutions or sentences for the reporting period, making it difficult to assess its law enforcement efforts.



RECOMMENDATIONS FOR FRANCE

Create an inter-ministerial body solely focused on trafficking; increase funding and resources for anti-trafficking coordination and victim assistance; improve the quality of shelters and specialized assistance for child victims; screen for trafficking indicators all women and children arrested for soliciting and inhabitants of informal migrant camps; coordinate and centralize the collection of trafficking data across the government; develop a second national action plan for all forms of trafficking; train all incoming law enforcement officers to screen all individuals in prostitution for trafficking indicators; improve victims' access to restitution; strengthen victim protection for child victims of forced begging and theft; and ensure the reflection period is offered to all victims, including victims of forced begging and criminality.

PROSECUTION

The government maintained enforcement efforts. Article 225-4 of the penal code criminalized sex and labor trafficking and prescribed penalties of between seven years and life imprisonment for trafficking offenses. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government investigated 264 cases in 2017 (259 in 2016), involving 771 suspects (816 in 2016). In 2016, the most recent year in which complete data was available, 48 were convicted for trafficking, compared with 71 in 2015. The government did not report complete sentencing data but confirmed several cases in which traffickers received stringent sentences during the reporting period. For instance, in January 2017, a court in Bordeaux sentenced a couple to two years in prison for forcing two Bulgarian women into sex trafficking. In February 2017, a court in Paris sentenced a trafficker to three years in prison with one year suspended and ordered him to pay €1,550 ($1,860) to his victims. In June 2017, a court in Carpentras sentenced a man to six years in prison with two years suspended and a second man to two years in prison with one year suspended for forced prostitution and forced domestic servitude. In December 2017, a court in Marseille sentenced a French man to seven years imprisonment and €9,160 ($11,000) in damages for forcing one child and one woman into prostitution.

Two bodies investigated trafficking crimes: the Ministry of Interior's Central Office for Combating Human Trafficking (OCRTEH), consisting of approximately 25 investigators, was responsible for cases of sexual exploitation and the Central Office for Combatting Illegal Labor (OCLTI), consisting of 40 investigators, was responsible for labor exploitation. OCRTEH continued training programs for police, civil servants, NGOs, and the hospitality sector. In March 2018, the Ministry of Justice (MOJ) trained prosecutors and judges on the implementation of the anti-trafficking statute. The government collaborated in international investigations, including with EUROPOL, INTERPOL, and the United Kingdom, and it extended its joint investigation team mandate with Bosnia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government maintained protection efforts. In 2017, the government identified 894 victims of exploitation, compared with 1,118 in 2016. The victims identified in 2017 included 293 French, 132 Nigerian, 112 Romanian, 68 Chinese, 58 Brazilian, and 231 were other nationalities. Approximately 15 percent of victims were minors. In June 2017, the governmental Mission for the Protection of Women against Violence and the Fight against Human Trafficking (MIPROF) and the National Supervisory Body on Crime and Punishment released the results of a large-scale 2015 survey completed by 13 NGOs, which was intended to serve as a model for future annual data collection on victims. The survey provided the most comprehensive information on victim demographics to date and found 88 percent of victims were women, 10 percent men, one percent transgender, and the remainder unidentified. Children accounted for nine percent of victims, of whom 78 percent were female. The majority were victims of forced prostitution (81 percent), followed by forced domestic servitude (10 percent), forced labor (four percent), forced criminality (four percent), and forced begging (one percent).

The government had formal procedures for identifying victims and an NGO-run referral mechanism. The Ministry of Solidarity and Health, and the City of Paris provided funding for the Ac-Se system, an NGO-managed network of 45 NGO-run shelters and 23 specialized NGOs assisting adult victims of sex and labor trafficking. Ac-Se assisted 79 trafficking victims in 2017, compared with 82 in 2016, providing them shelter, legal, medical, and psychological services. Seventy-four were victims of sex trafficking, one of labor trafficking, and three were forced to commit a petty crime. The government maintained Ac-Se's budget at €220,000 ($264,110) for 2018. Local governments provided French language classes to victims, and some victims could qualify for subsidized housing and job training programs. The government, through the national employment agency,

provided some foreign victims a stipend of €340 ($410) a month; civil society reported the conditions for being granted a stipend were not uniform and varied by region. The central and municipal governments also partially funded the operation of a shelter in Paris and a small number of emergency apartments external to the Ac-Se system. Child trafficking victims were referred to the child welfare services (ASE) system. GRETA reported the existing ASE shelters varied in quality of care and many were not suited for the special assistance needs of child trafficking victims. During the reporting period, six child trafficking victims received services from ASE shelters. The office of the protection of refugees' social workers, staff, senior protection officers, and 100 new refugee protection officers received training on victim identification and assistance protocols. The government continued to operate a hotline for children in abusive situations, including trafficking. In 2017, hotline operators received 1,550 calls related to trafficking. Ac-Se, with assistance from 60 partner organizations, operated a separate hotline during the reporting period. The hotline received more than 900 calls and on average referred 50 trafficking cases a year to Ac-Se for assistance. The government distributed pocket-sized victim identification indicator guides to border police and NGOs and developed detailed internal training manuals for educators and security forces who encounter child trafficking victims. The MOJ partnered with Ac-Se to train front-line responders, including labor inspectors and social workers, on the identification and referral of trafficking victims. The MOJ also held a seminar on victim identification procedures for members of the judiciary. Newly assigned border police and cybercrime investigators received victim identification training.

The government had an NGO-run referral program to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provided short-term care. Criminal trials for trafficking or aggravated pimping could be heard in private at the victim's request. GRETA reported child victims of forced begging and criminality had been arrested and prosecuted without being screened for trafficking indicators by law enforcement officials. Victims could receive a 30-day reflection period during which they could decide whether to lodge a complaint or participate in criminal proceedings against a trafficker; however, some authorities were not familiar with the reflection period and did not offer it. Victims were eligible for temporary residence permits, regardless of whether they cooperated with police investigations. Trafficking victims were also eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned. Victims were eligible to receive restitution through the Crime Victims Compensation Program. The compensation request process often took several years to complete, and many victims had requests in progress.

PREVENTION

The government increased prevention efforts. MIPROF coordinated government-wide anti-trafficking efforts and the prevention of violence against women. MIPROF's anti-trafficking steering committee was composed of national, regional, and local governments, as well as NGOs. The government's national action plan to counter trafficking expired in May 2017; however, its 2017-2019 national action plan for mobilization against all violence against women included measures to counter trafficking, most notably the creation of multidisciplinary regional commissions to counter prostitution, pandering, and trafficking. Eleven departments had developed commissions by the end of the reporting period. Authorities, civil society, and GRETA reported the national action plan to counter trafficking was not fully implemented due to a lack of funding and MIPROF's dual mission diluted efforts against other forms of trafficking outside of sexual exploitation. The government's human rights commission continued to serve as the independent rapporteur for trafficking. In July 2017, the rapporteur published an assessment of the recently expired national action plan to counter trafficking, which recommended the creation of an inter-ministerial body solely dedicated to trafficking, increased financial and human resources to combat trafficking, and uniform processes for victim identification, among others. The government lacked comprehensive and centralized data on trafficking. In March 2017, parliament adopted a new bill, which required large companies (more than 5,000 employees) to create plans to mitigate risks against labor exploitation of sub-contractors. The government did not report investigating or prosecuting any cases of child sex tourism. The government-funded programs through airlines and tourism operators describing the penalties for child sex tourism and funded poster and pamphlet campaigns by NGO partners to reduce the demand for child sex tourism. The Ministry of Foreign Affairs researched and reported on indicators of child sex tourism abroad and monitored increases in the crime. The government continued to fund a regional technical advisor on trafficking to the UNODC and OSCE. OCRTEH provided training to Nigerian law enforcement, the MFA funded anti-trafficking capacity building programs across Africa's Gulf of Guinea region, and the government supported victim support operations in Libya. The government provided anti-trafficking training to all peacekeeping troops prior to their deployment abroad on international peacekeeping missions and MIPROF produced a new manual for all security forces stationed abroad. The government did not provide systemic anti-trafficking training for its diplomatic personnel, although consular officials received training on identifying forced domestic servitude.

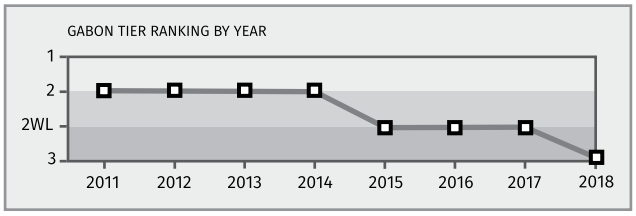
TRAFFICKING PROFILE

As reported over the past five years, France is a destination, transit, and a limited source country for men, women, and children subjected to forced labor and sex trafficking. Foreign victims from Eastern Europe, West and North Africa, Asia, and the Caribbean are subjected to sex trafficking and forced labor. Sex trafficking networks controlled by Nigerians, Bulgarians, Romanians, Chinese, and French citizens force women into prostitution through debt bondage, physical force, and psychological coercion, including the invocation of voodoo and drug addiction. The number of children exploited in commercial sex has increased in recent years. Children are forced to commit crimes, mainly petty theft, often as part of larger criminal networks. Children, primarily from Romania, West and North Africa, and the Middle East, are victims of sex trafficking in France. The government estimates the majority of the 30,000 people in prostitution in France, about 90 percent of whom are foreign, are likely trafficking victims. Roma and unaccompanied minors in France are vulnerable to forced begging and forced theft. Women and children are subjected to domestic servitude, mostly in cases in which families exploit relatives brought from Africa to work in their households. Trafficking of male victims for sex and labor trafficking has increased. Nigerian trafficking networks use migrant and drug trafficking routes through Libya and Italy to transport girls to France. Some migrants who could not pay their smugglers are held in debt bondage. Traffickers force children living in migrant camps in northern France to commit crimes, including facilitating smuggling to the United Kingdom. Vietnamese migrants are held in makeshift migrant camps awaiting transit

to the United Kingdom for labor exploitation. Chinese victims often enter France on short-term student or tourist visas.

GABON: TIER 3

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Gabon was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including identifying more child victims compared with the previous reporting period and referring them to care, and providing resources to some shelters, particularly those that serve children at higher risk of becoming trafficking victims. However, the government did not convict any traffickers and, for the fifth consecutive year, it did not enact a proposed amendment to criminalize adult trafficking. It also decreased for the fourth consecutive year the amount of funding allocated for victim services; did not increase efforts to identify, refer, or provide services to adult victims; and did not conduct any public awareness raising campaigns.



RECOMMENDATIONS FOR GABON

Increase efforts to prosecute and convict traffickers, including complicit officials and sex traffickers; use existing penal code articles criminalizing forced labor to investigate, prosecute, and convict traffickers who exploit adults in forced labor; draft and enact legislation to criminalize all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase financial or in-kind support to government-run and NGO shelters; increase communication among ministries to facilitate improved case management and data collection; reinvigorate collaboration with foreign governments to investigate transnational trafficking cases and repatriate foreign victims; train social workers and service providers on best practices in the provision of care for trafficking victims; expand the existing inter-ministerial committee's mandate to include adult trafficking, and include efforts to address adult trafficking in the next national action plan; expand awareness-raising campaigns to include information on adult trafficking; and develop a system to track cases and publicize relevant law enforcement and victim protection statistics, including on trafficking offenses prosecuted under other articles of the penal code.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Existing laws did not criminalize all forms of human trafficking. Law 09/04 to Prevent and Combat Child Smuggling criminalized selling children, subjecting them to debt bondage, and bringing them into the country and unlawfully employing them, and prescribed penalties of a "custodial sentence" and a fine of 10 million to 20 million Central African CFA francs (CFA) ($17,610 to $35,220). Title 1, article 4 of the Gabonese labor code criminalized forced labor and prescribed penalties of one to six months imprisonment or a fine of 300,000 to 600,000 CFA ($530 to $1,060). Neither law provided sufficiently stringent sentences. Penal code article 261 criminalized adult and child sex trafficking and prescribed penalties of two to five years imprisonment and a fine. Law 21/63-94 also criminalized forced prostitution of adults and prescribed penalties of two to 10 years imprisonment. These penalties were sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. For the fifth consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to criminalize the trafficking of adults and explicitly criminalize sex trafficking.

The government reported investigating one trafficking case but did not report initiating any prosecutions, a decrease from eight investigations and prosecutions in the previous reporting period. The government did not convict any traffickers for the fifth consecutive year. Only the high court was authorized to hear trafficking cases because it is a crime equivalent to murder; however, the high court was backlogged with cases and did not routinely meet, in part because of a shortage of funding. In addition, due to a lack of training and widespread corruption, the prosecutorial judges tasked with investigating trafficking cases often did not investigate cases brought to their attention, creating significant obstacles to prosecuting trafficking crimes. Furthermore, data on anti-trafficking law enforcement efforts was limited, in part due to poor communication between ministries. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns. Some judges received bribes from alleged traffickers and actively delayed or dismissed trafficking cases. The government did not report efforts to investigate a Gabonese diplomat posted to the United Kingdom in 2016, alleged to have exploited a worker in domestic servitude. During the reporting period, the inter-ministerial committee conducted a two-day training for immigration officials on identifying and investigating trafficking cases. In contrast with previous years, the government did not report cooperation with foreign law enforcement on transnational trafficking cases.

PROTECTION

The government increased efforts to identify and assist child victims, while efforts to protect adult victims remained negligible. Officials identified and referred 65 child labor trafficking victims to shelters that provided medical, legal, and psychological care, compared with 15 in 2016. The government did not report identifying any adult trafficking victims, and provided no specific trafficking-related services. The government decreased funding to NGOs that provided shelter and services to victims for the fourth consecutive year, and there continued to be a lack of shelter space to accommodate all trafficking victims. The government continued to fund two NGO-run shelters offering services to orphans and street children vulnerable to trafficking, providing an unknown amount of funding and in-kind support, including funding for social workers, medical support, psychological services, legal assistance, tuition, and food and furniture vouchers. However, the government did not report referring any child trafficking victims to these facilities. Other NGOs assisting trafficking victims relied primarily on donations from churches and private companies to finance their services, and some government workers used personal funds to assist victims. The same services were available for male, female, foreign, and Gabonese victims, including those repatriated from abroad. There were no government or NGO-

run shelters specifically designated for adult victims, although adult victims could potentially access government services for victims of domestic abuse or other forms of violence; however, the government did not report such victims doing so during the year. Some shelters could have provided services to adults and some allowed child trafficking victims to remain after they reached 18 years of age; however, the government did not report referring any adults to such facilities during the reporting period. Officials have the authority to permit adult male victims to leave shelters unchaperoned but not adult female victims, allegedly for their safety.

The Ministry of Family, Social Protection, and National Solidarity, in coordination with foreign embassies, assisted in the repatriation of 42 foreign child trafficking victims. Gabonese authorities reported that a lack of cooperation with source-country governments on funding the repatriation of foreign victims identified in Gabon greatly lengthened the repatriation process; foreign trafficking victims remained in Gabonese shelters on average between six months and three years before repatriation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but the government did not report any victims utilizing this legal alternative. The government encouraged victims to cooperate with authorities to provide testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimony at the time of the arrest of the suspected traffickers or identification of the victim, an approach that is neither victim-centered, nor considered the most effective. While the government has sought restitution for trafficking victims in the past, it did not report doing so during the reporting period. Victims could file civil suits against their traffickers, but there were no known cases of such action, in part due to lack of knowledge of the option. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; however, due to negligible effort to identify adult trafficking victims, some victims may have remained unidentified in the law enforcement system.

PREVENTION

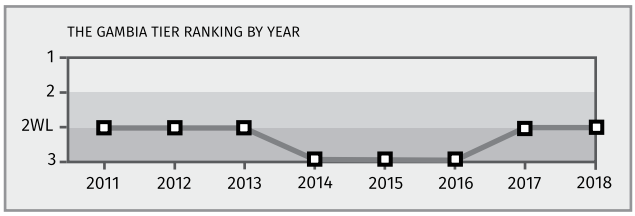
The government decreased prevention efforts. The inter-ministerial child trafficking committee continued to investigate child trafficking offenses, but insufficient funding severely hampered its efforts. The government drafted a five-year action plan to combat child trafficking in 2016, but the government has not validated it. The plan did not include actions to address adult trafficking. Unlike in previous years, the government did not conduct any awareness-raising campaigns to sensitize the public on the dangers of trafficking. Unlike the previous year, the government collaborated with an international organization to prevent trafficking through the training of border officials. The government did not make any discernible efforts to reduce the demand for commercial sex acts or forced labor. The government, with foreign donor support, provided anti-trafficking training to approximately 450 Gabonese troops prior to their deployment abroad on an international peacekeeping mission in the Central African Republic. The government investigated 37 Gabonese peacekeepers who allegedly sexually exploited civilians. In addition to receiving military disciplinary action, the government referred suspects in eight cases to the civilian court system for prosecution. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and—to a lesser extent—a source country for children subjected to forced labor and sex trafficking. Boys are forced to work as street vendors, mechanics, or in microbus transportation and the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. Gabonese children are exploited as market vendors in eastern provinces of the country. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. Some victims transit Gabon en route to Equatorial Guinea. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers—some of whom are former trafficking victims—in the recruitment and transportation of victims from their countries of origin. In some cases, families willingly give children to intermediaries who fraudulently promise education or terms of employment they ultimately do not provide, instead subjecting the children to forced labor through debt bondage. Some traffickers procure falsified documents for child trafficking victims to make them appear older than 18 years old to avoid prosecution under the child trafficking law. Some traffickers operate outside the capital to avoid detection by law enforcement.

THE GAMBIA: TIER 2 WATCH LIST

The Government of The Gambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying and providing services to an increased number of potential trafficking victims, assisting with repatriation of Gambian child trafficking victims exploited abroad, and continuing efforts to prevent child forced begging in Quranic schools. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not initiate any trafficking investigations, complete any trafficking prosecutions, or sufficiently fund the National Agency Against Trafficking in Persons (NAATIP), which severely impeded its ability to investigate trafficking reports and implement the anti-trafficking national action plan. Therefore The Gambia remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR THE GAMBIA

Adequately fund NAATIP so it can investigate all reported trafficking cases and implement the anti-trafficking national action plan; direct and fund law enforcement to investigate all alleged trafficking cases brought forward by civil society, including cases of child sex tourism; vigorously investigate, prosecute, and convict traffickers, including complicit

government officials; develop and train government officials on standard procedures to identify trafficking victims, including among people in prostitution and other vulnerable groups; train law enforcement, prosecutors, and judges to investigate and prosecute all forms of trafficking using the 2007 Trafficking in Persons Act; raise awareness of child sex trafficking among civil society, including how to report cases; amend the labor law to extend protections to domestic workers; allow trafficking victims to leave shelters at will; and increase funding and training for social workers to provide trafficking victims adequate social services.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. The 2007 Trafficking in Persons Act, as amended in 2010, criminalized labor and sex trafficking and prescribed penalties of 50 years to life imprisonment and a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government continued investigating five suspects in one labor trafficking case from 2015 and referred two of the suspects for prosecution, but did not initiate any new investigations during the reporting period; this is compared with two case investigations last year, including the case from 2015. The government initiated two labor trafficking prosecutions and did not secure any convictions, although the two prosecutions were ongoing at the end of the reporting period. This is compared with one prosecution and one conviction in the previous reporting period. The five suspects under investigation were accused of fraudulently recruiting 59 Gambian women for forced labor in Lebanon and Kuwait. Despite NGOs referring potential child sex trafficking cases to law enforcement, officials did not investigate any suspects in these cases. With donor funding, NAATIP trained law enforcement on the 2007 act; however, authorities acknowledged law enforcement and judicial personnel continued to lack adequate resources and training to investigate and prosecute trafficking offenses. Official corruption remained a problem. Despite reports of official complicity in human trafficking offenses under the previous administration, the government did not report any investigations, prosecutions, or convictions of former government employees for complicity in human trafficking offenses.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. The government identified and referred at least 91 potential trafficking victims to care, compared with identifying and referring 42 potential trafficking victims to care the previous reporting period. Among the 91 potential victims, law enforcement identified 88 Quranic students from Senegal, Guinea-Bissau, and Sierra Leone living in an abandoned building. The Department of Social Welfare (DSW) and the immigration department repatriated all of the children. The lack of formal identification procedures and screening for trafficking victims remained concerns; while law enforcement would in practice refer minors exploited in commercial sex to DSW for care, officials did not screen adults in prostitution for sex trafficking. Some border control agents had knowledge of trafficking and screened for trafficking among adults traveling with several minors. DSW operated a shelter for trafficking victims, abandoned children, and victims of domestic violence. The Ministry of Health allocated two million dalasi ($42,550) to the DSW shelter in 2017 and paid the salaries of 38 staff, the same as in 2016. The shelter offered 24-hour services, including counseling, to children, adults, males, and females; authorities did not allow victims to leave without a chaperone. The shelter could assist Gambian victims who had been exploited abroad after their repatriation, as well as both foreign and domestic victims. DSW also operated a drop-in center for street children. Shelters were concentrated around the capital, leaving some victims in rural areas without access to assistance. Many shelters lacked social workers trained to assist trafficking victims. Gambian authorities assisted with repatriation and family reunification for three Gambian children exploited in other West African countries. At the close of the reporting period, the government was in the process of securing funds to provide vocational training for nine trafficking victims repatriated from Lebanon in 2016.

The 2007 act allowed foreign victims to obtain temporary residence visas for the duration of legal proceedings, but there were no other legal alternatives provided in cases in which foreign trafficking victims removed to their countries of origin may have faced hardship or retribution. Victims could obtain restitution and file civil suits against their traffickers, but there were no reports that any such cases were filed during the reporting period. Although there were no reports that police detained, fined, or jailed trafficking victims for acts committed as a result of being subjected to trafficking, law enforcement did not screen for trafficking when detaining adults in prostitution, among other vulnerable groups, so trafficking victims could have remained unidentified in the law enforcement system.

PREVENTION

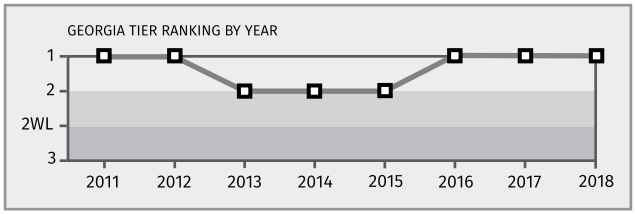
The government maintained uneven prevention efforts. The Ministry of Justice continued to allocate 150,000 dalasi ($3,190) per month to NAATIP for salaries and administrative costs. Unlike the previous year, however, it did not provide additional funding for implementation of the 2016-2020 anti-trafficking national action plan. NAATIP met quarterly with donors and continued to rely on them for additional support. With funding from international organizations, NAATIP conducted television and radio public sensitization campaigns. The Ministry of Education continued to encourage reputable Quranic school teachers to educate students and not force them to beg by providing monthly cash transfers and food rations to 15 schools that it regularly verified did not employ forced begging. The ministry also provided science, math, and English teachers to broaden the schools' curricula, which benefited an estimated 1,000 children. During the reporting period, DSW created a sixth adolescent neighborhood watch group to monitor urban areas near tourist resorts for possible cases of child abuse or child sexual exploitation. DSW continued to lead and provide transportation allowances to all six groups; however, none of the groups reported identifying child sex trafficking victims or suspected child sex tourists. The government operated a 24-hour trafficking-specific hotline in four languages, but it did not receive any trafficking reports during the reporting period. Despite past reports of women exploited through fraudulent labor recruitment, the government did not have effective policies to regulate foreign labor recruiters or penalize them for fraudulent recruitment. Domestic laborers were not protected under the national labor law, rendering such workers vulnerable to exploitation. The government did not make efforts to reduce the demand for commercial sex acts or forced labor or to reduce the demand for child sex tourism. The government did not report providing training to its diplomatic personnel. The government provided anti-trafficking training to Gambian troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, The Gambia is a source and destination country for women and children subjected to forced labor and sex trafficking. Within The Gambia, women, girls, and—to a lesser extent—boys are subjected to sex trafficking, forced labor in street vending, and domestic servitude. Women and children from West African countries are recruited for commercial sexual exploitation in The Gambia. Poor families may encourage their children to endure such exploitation for financial gain. Reporting from an international organization indicates the number of boys exploited in commercial sex trafficking is growing. The majority of these victims are subjected to sexual exploitation by child sex tourists, primarily from Britain, Germany, Scandinavia, the Netherlands, and Canada. Observers believe organized sex trafficking networks use European and Gambian travel agencies to promote child sex tourism. Sex traffickers increasingly host child sex tourists in private residences outside the commercial tourist areas of Banjul, making the crime harder to detect. Gambian boys attend Quranic schools in The Gambia, Guinea-Bissau, and Senegal, and some corrupt teachers force their students into begging, street vending, and agricultural work. NGOs identified Gambian children in forced labor in neighboring West African countries and Mauritania. Traffickers have allegedly exploited Sierra Leonean children as "cultural dancers" in The Gambia. Gambian women are subjected to forced labor and sex trafficking in the Middle East, including Lebanon and Kuwait. Authorities have identified Gambian trafficking victims in Egypt, UAE, and Finland. During the reporting period, an international organization repatriated at least 1,734 Gambians from Libya, many of whom were vulnerable to trafficking.

GEORGIA: TIER 1

The Government of Georgia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Georgia remained on Tier 1. The government demonstrated serious and sustained efforts by updating law enforcement guidelines for victim identification, including on the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. The government identified more victims and continued to provide comprehensive care. During the year, the government created and issued a grant for an NGO to organize awareness-raising activities in 10 cities and separately provided a new allocation to two NGOs to identify and support the reintegration of street children. Although the government meets the minimum standards, victim identification remained inadequate for children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors. As in previous years, the labor inspectorate operated with an unclear mandate, which inhibited inspectors' ability to effectively investigate employers. No trafficking victims have ever received restitution from their traffickers and observers reported the government lacked public transparency, as it did not provide public assessments of its own anti-trafficking efforts.



RECOMMENDATIONS FOR GEORGIA

Improve efforts to proactively identify trafficking victims, particularly street children and Georgian and foreign victims in vulnerable labor sectors; further incorporate the labor inspectorate in anti-trafficking efforts with a clear mandate that establishes roles and responsibilities and enables unannounced inspections of employers; vigorously investigate, prosecute, and convict traffickers under article 143; increase law enforcement capacity to investigate complex cases, including advanced training for money laundering, organized crime, and digital evidence; improve measures to guarantee victims' access to compensation, including asset seizure, informing victims of their rights to compensation, and legal assistance; increase transparency of the inter-ministerial trafficking coordination council and provide public assessments; fully implement the law that provides street children with free government identification; create interagency strategies for reducing vulnerability and countering forced begging; and target awareness-raising campaigns about the existence of human trafficking, legal recourse, and available protection services to vulnerable groups.

PROSECUTION

The government maintained law enforcement efforts. The Law on Combating Trafficking in Persons and article 143 of the criminal code criminalized all forms of trafficking and prescribed penalties ranging from seven to 20 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation. The government investigated 23 new cases (16 in 2016). The government prosecuted four defendants, all for sex trafficking, compared to one for sex trafficking and one for forced begging in 2016. The government convicted four traffickers (one in 2016); traffickers received sentences between 10 and 13 years imprisonment. In addition, the government extradited two alleged traffickers.

The government maintained several specialized units, including the Anti-Trafficking and Illegal Migration Unit within the Central Criminal Police Department and four mobile groups and task forces under the Ministry of Internal Affairs (MOIA). Observers reported the task force in Adjara was understaffed, faced regular staff turnover, and lacked experienced investigators and female investigators. Experts reported the government continued to develop capabilities to investigate trafficking cases but required additional advanced training for complex cases involving money laundering, organized crime, and digital evidence. The government reported the inability to conduct anti-trafficking efforts within the breakaway territories of Abkhazia and South Ossetia. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. All police cadets received basic training on trafficking issues.

PROTECTION

The government slightly increased protection efforts. The government identified 12 victims (three victims in 2016); 10 victims of sex trafficking and two victims of forced labor (three sex trafficking victims in 2016); all victims were female in 2016 and 2017; and one was a child. The government updated law enforcement guidelines for victim identification, including the treatment of victims, screening for indicators at border posts, and victim-centered interview practices. Mobile groups and task forces screened 682 individuals working at hotels, bars, nightclubs, and bathhouses for trafficking indicators and another 55 individuals deemed as "high-risk" from working at businesses that violated labor standards. Authorities also screened 3,085 Georgian nationals deported from other countries for trafficking indicators at the international airport and border crossings. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services. Law enforcement officially recognized victims who participated in investigations and the Permanent Group assessed and officially recognized victims who declined to participate in investigations. The Permanent Group comprised a five-member board of non-governmental and international organization representatives and was required by statute to convene and assess a potential victim within 48 hours. An NGO provided initial psychological care and temporary shelter for potential victims awaiting official victim status, but an international organization reported an increase in identified victims would cause delays in the 48-hour identification period and constraints in accommodating potential victims. Observers reported the NRM worked effectively and demonstrated strong cooperation between law enforcement and victim assistance agencies; however, victim identification of children in exploitative situations on the street and Georgian and foreign workers in vulnerable labor sectors remained inadequate.

The government operated two specialized shelters and provided medical aid, psychological counseling, legal assistance, childcare services, reintegration support, and a one-time financial payment of 1,000 lari ($380) to victims. Child trafficking victims received the same assistance specialized for minors, in addition to custodial care, education, and family reintegration programs. The government allocated 211,600 lari ($81,070) to the anti-trafficking shelters in Tbilisi and Batumi and other victim assistance programs, compared to 269,220 lari ($103,150) in 2016. Victims could initially stay at the shelter for three months, which could be extended upon the victim's request; the government-run shelters accommodated two victims identified in 2017. The government-run shelters staffed a nurse, social worker, lawyer, and psychologist and offered separate sections for men, women, and children. Shelter staff chaperoned victims when leaving the shelter but victims could request to leave the shelter unchaperoned. In addition to equal services for domestic and foreign victims, the government reported foreign trafficking victims were eligible for renewable one-year residence permits with the ability to seek legal employment. The law prohibited penalizing trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking; the government reported no such penalization in 2017. The government provided repatriation assistance to Georgian victims returning to Georgia and foreign victims wishing to leave Georgia; three victims received repatriation assistance to return to their home countries in 2017.

The government reported encouraging victims to assist law enforcement with investigations and prosecutions, although their assistance was not required to receive government support; eight victims assisted law enforcement (three in 2016). The Prosecutor General's Office's Victim-Witness Coordinators provided counsel to victims from the beginning of the investigation through the end of the court proceedings. Observers reported prosecutors and judges applied victim-centered approaches to prevent re-traumatization during trial. The law allowed recorded testimony or testimony by other technological means; the Ministry of Justice (MOJ) reported none of the trials required such measures in 2017. Victims could pursue financial restitution through civil suits but no trafficking victims have ever received restitution from their traffickers. Observers highlighted the failure to freeze and seize criminal assets as an obstacle to pursuing restitution from traffickers.

PREVENTION

The government increased prevention efforts. The Interagency Council on Combating Trafficking in Persons (TIP Council) monitored implementation of the 2017-2018 national action plan, but observers reported the TIP Council did not provide public assessments and lacked public transparency. In October, the government created and issued a 25,000 lari ($9,580) grant to an NGO to organize awareness-raising activities in 10 cities. The government continued to disseminate leaflets on various trafficking issues at border crossings, tourism information centers, metro stations, and public service halls throughout the country. Government officials funded and participated in a number of television, radio, and print media programs to raise awareness. The government organized anti-trafficking information meetings in villages and towns, presenting to different target groups, including primary school and university students, minorities, internally displaced persons, and journalists. The government continued to fund an anti-trafficking hotline operated by MOIA and another hotline operated by the State Fund that received calls from trafficking victims. The hotlines received 118 calls in 2017 and led to the identification of one victim.

MOJ provided 54,000 lari ($20,690) to two NGOs to identify and support the reintegration of street children; the NGOs identified 105 children living on the streets. Authorities provided three street children with government identification, as authorized in a June 2016 law providing free identification documents to street children, which allowed them to receive public assistance, including health and education services for children who are undocumented foreign citizens. MOJ issued 13 temporary identification documents to homeless children, one permanent identity card and five passports to known or suspected trafficking victims. The Law on Labor Migration regulated the operation of labor recruitment agencies; however, the labor inspectorate continued to have an unclear mandate due to a lack of substantive labor laws and unclear authority to conduct unannounced inspections. The labor inspectorate inspected 64 businesses and fined 610 foreign laborer recruiters for failing to provide information on the Georgian citizens assisted to find work outside the country and hosted three meetings with private businesses to explain signs of trafficking, legal consequences, and other forced labor issues. The government did not report efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking training for its diplomatic personnel and its armed forces prior to deployment as peacekeepers.

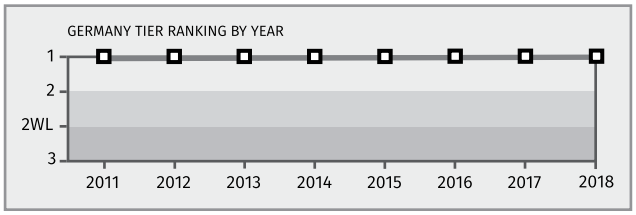
TRAFFICKING PROFILE

As reported over the past five years, Georgia is a source, transit, and destination country for women and girls subjected to

sex trafficking and men, women, and children subjected to forced labor. Traffickers recruit victims with false promises of well-paying jobs in tea processing plants, hospitals, salons, restaurants, and hotels. The majority of identified trafficking victims are young, foreign women seeking employment. Women and girls from Georgia are subjected to sex trafficking within the country, in Turkey, and, to a lesser extent, in China and the United Arab Emirates. Georgia is also a transit country for women from Kyrgyzstan, Tajikistan, and Uzbekistan exploited in Turkey. Women from Azerbaijan and Central Asia are subjected to forced prostitution in the tourist areas of the Adjara region and larger cities like Tbilisi and Batumi in saunas, brothels, bars, strip clubs, casinos, and hotels. Georgian men and women are subjected to forced labor within Georgia and in Turkey, United Arab Emirates, Egypt, Cyprus, and Iraq. Georgian, Romani, and Kurdish children are subjected to forced begging and coerced into criminality in Georgia. No information was available about the presence of human trafficking in the separatist regions of Abkhazia and South Ossetia; however, the government and NGOs consider internally displaced persons from these occupied territories particularly vulnerable to trafficking.

GERMANY: TIER 1

The Government of Germany fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Germany remained on Tier 1. The government demonstrated serious and sustained efforts by strengthening criminal statutes on trafficking, convicting more labor traffickers, and sentencing some traffickers to longer prison terms. Although the government meets the minimum standards, the high number of suspended sentences for trafficking convictions, with only 30 percent of convicted traffickers in 2016 serving prison time and a high number of convicted labor trafficking perpetrators receiving only fines, undercut efforts to hold traffickers accountable. Approximately half of identified victims did not receive specialized care and NGOs noted inadequate availability of assistance for adult male and child victims, including insufficient accommodation options. Prostitution is legal in Germany and, although the government increased protections for commercial sex workers through laws regulating the prostitution industry, there were limited efforts to reduce the demand for commercial sex.



RECOMMENDATIONS FOR GERMANY

Sentence convicted traffickers to punishments proportionate to the severity of the crime for both labor and sex trafficking; extend more specialized care and services based on trafficking victims' specific needs, particularly for youth and male victims; increase the number and percentage of victims who receive government-funded services; increase efforts to address labor trafficking through proactive identification of victims and public awareness campaigns on criminal code reforms; increase the capacity of investigators, prosecutors, and courts to minimize delay in bringing cases to trial; increase cooperation on anti-trafficking standards across the 16 federal states; conduct awareness campaigns targeting beneficiaries of forced labor, and targeting clients of prostitution in order to reduce the demand for commercial sex; develop and implement a strategy to fully implement and enforce the new law regulating the prostitution industry and increasing protections for commercial sex workers; ensure government procurement policy addresses trafficking in supply chains; and implement programs under general OSCE standards and guidelines toward eliminating trafficking in supply chains.

PROSECUTION

The government maintained law enforcement efforts. The criminal code criminalized sex and labor trafficking under sections 232 and 233, and punishments prescribed range from six months to 10 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Amendments enacted in 2016 went into effect on July 1, 2017, including provisions criminalizing forced begging and other types of coerced criminal behavior and imposing stronger penalties when victims are under age 18. For sex trafficking the law did not require proof of force or coercion to prosecute perpetrators for victims under age 21. The law also imposed criminal penalties for knowingly purchasing sex from a trafficking victim. The complex wording and scope of section 233 reportedly resulted in prosecutors sometimes charging suspected traffickers with offenses considered easier to prove than coercion in labor and sex trafficking.

In 2016, the most recent year for which comprehensive statistics were available, police identified 551 sex and labor traffickers, compared to 597 traffickers in 2015. Of these, courts convicted 72 defendants, compared to 77 convictions in 2015. Courts sentenced 38 defendants to prison terms greater than one year in 2016, although suspended 24 of those sentences where the prison term was less than two years. Within those investigations were 524 suspected sex traffickers, a slight decrease from 573 sex traffickers investigated in 2015; 28 percent of suspects were German citizens. State and federal authorities completed 365 pre-trial sex trafficking investigations in 2016, compared to 364 in 2015. The government prosecuted 90 defendants for sex trafficking in 2016, compared to 89 in 2015. Courts convicted 60 sex traffickers in 2016, compared to 72 in 2015 and 79 in 2014. Government statistics for all crimes in multi-offense cases reported only the longest sentence imposed and, therefore, did not include cases in which a defendant was found guilty of trafficking but received a longer sentence by being convicted for a different offense, which may have lowered the reported number of trafficking offenses. The criminal code allowed suspension of prison sentences under two years, a provision which is commonly used across the spectrum of offenses, and especially for first-time offenders. Convicted traffickers frequently avoided imprisonment and received suspended sentences or fines, which weakened deterrence, undercut efforts of police and prosecutors, and created potential security and safety concerns, particularly for trafficking victims who cooperated with investigations and prosecutions. Of the 60 convictions, 35 received suspended sentences and served no prison time, four received fines, and 21 (or 35 percent) received prison terms, a slight increase in prison sentences that were not suspended compared to 2015. Of 21 defendants sentenced to serve prison time, sentences ranged from nine months to five years, with 12 defendants sentenced to prison terms between two and five years. Of 27 defendants sentenced to prison terms

between one and two years, courts suspended 24 sentences and only three defendants served prison time, all for sex trafficking. In comparison, a higher percentage of defendants convicted of rape in 2016 served prison time (57 percent for rape compared to 35 percent for trafficking), and on average received longer prison terms. In 2017, courts sentenced four traffickers to seven years imprisonment, marking an increase from prison sentences issued in 2015 and 2016, which ranged between two and five years. One of the defendants sentenced to seven years imprisonment was convicted in the highly publicized "Artemis" brothel case in Berlin that followed an investigation involving 900 law enforcement personnel.

For labor trafficking, police identified 27 individuals suspected of labor trafficking in 2016, compared to 24 in both 2015 and 2014. The government investigated 12 cases in 2016, compared to 19 in 2015. Authorities prosecuted 19 labor traffickers in 2016, compared with 12 in 2015. Courts convicted 12 traffickers, compared with five in 2015 and eight in 2014. Three of these traffickers received a suspended sentence, eight received a fine, and only one received a prison term. Of the 72 combined convictions for labor and sex trafficking, 10 were against persons between age 18 and 21, wherein the court is required to consider the maturity level of the offender and then determine whether to apply juvenile or adult criminal law. In 2016, asset seizures from defendants increased significantly. Authorities seized €2.5 million ($3 million) in assets from suspected traffickers, compared to €512,000 ($614,650) in 2015. The revised law eased the burden of proof and time limits for asset seizure.

Although sex trafficking cases were frequently led by prosecutors with experience assisting victims through trial processes, labor trafficking cases were mostly assigned to financial, economic, or organized crime sections with less experience with trafficking or victim-centered prosecutions. According to NGOs, the duration of the average criminal investigation for any criminal prosecution remained too long, sometimes years, and police in many jurisdictions lacked sufficient staff to process the workload in a timely manner. The Berlin state-level police added a third specialized human trafficking investigation unit in 2018 in an attempt to address this need. Judges generally could not be compelled to take mandatory training, viewed as infringement of judicial independence. However, many judges and prosecutors continued to participate in the German Judicial Academy's annual anti-trafficking training which covers the sexual exploitation of women and children in connection with cross-border crime. Officials in various German states, including Lower Saxony, Bavaria, and North-Rhine Westphalia, also organized judicial trainings on trafficking, including emphasis on victim-centered approaches. The Federal Criminal Police organized specialized seminars to educate investigating officers on trafficking. Police academies in various German states had incorporated trafficking courses into their training. Federal and state-level police collaborated with EUROPOL and foreign governments, notably Romania, Bulgaria, and Nigeria, conducting trainings and investigating trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. In 2016, the most recent year for which comprehensive statistics were available, authorities identified 536 trafficking victims, an increase from 470 in 2015. In this total, there were 488 sex trafficking victims in 2016, an increase from 416 in 2015. More than two-thirds of sex trafficking victims were German nationals, followed by Hungarian, Bosnian, and Romanian victims. There was an increase in the number of victims from Africa, mostly Nigeria. Of the sex trafficking investigations concluded in 2016, police initiated 60 percent of the cases, mostly from third party tips, while victims initiated contact in the remaining 40 percent of cases. For labor trafficking, the government identified 48 victims in 2016, compared to 54 in 2015, with one-fourth in the construction sector. The majority of these victims (25) came from Ukraine, following a major investigation spanning five German states. The Federal Agency for Migration and Refugees (BAMF) continued measures to identify potential victims in the asylum protection system and made referrals to counseling centers. Each of the 50 BAMF offices across the country included at least one representative to assist in identifying and supporting potential victims of trafficking.

The government-funded services through the government-funded NGO Network Against Trafficking in Human Beings (KOK), also charged with coordinating and overseeing victim support efforts. The government mandated counseling centers, operated by NGOs, to provide services to both labor and sex trafficking victims, although many provided such services only to female sex trafficking victims. NGOs operated centers in 45 cities, providing or facilitating shelter, medical and psychological care, legal assistance, vocational support, and other services. Trade union-affiliated and migrant counseling centers coordinated with trafficking NGOs to offer some support to labor trafficking victims. There was limited comprehensive or long-term support available across the centers for children and male trafficking victims. Some counseling centers focused on male victims in their programming, although no designated accommodations were available for them. An October study by KOK noted that for all groups there remained challenges providing adequate accommodation. Government funding for the KOK's management operations was €343,000 ($411,760) for 2017, an increase from €316,000 ($379,350) in 2016. Funding for actual services to trafficking victims and survivors came from state governments and private contributions, and no national total was available. For example, the Bavarian government provided €563,000 ($675,870) in 2016 for victim support, and North-Rhine-Westphalia funded €1 million ($1.2 million) for eight counseling centers. Government-funded counseling centers or youth welfare organizations together provided assistance to approximately 34 percent of victims identified, while 55 percent did not receive specialized care, and there was no information on the remaining 11 percent of victims.

The government offered undocumented victims a reflection period of three months to decide if they would testify in court, although in some jurisdictions such as Berlin, the period was routinely extended to six months. Victims who agreed to testify were allowed to remain and work in Germany beyond the reflection period, which was limited to the duration of the trial. Victims who faced injury or threats to life or freedom in their countries of origin or in cases of humanitarian hardship could apply for residence permits. Family members were eligible for residency in certain circumstances. State interior ministries circulated instructions on completing an application for humanitarian residence permits for victims, and NGOs confirmed the application system seemed to work in practice. The law entitled victims to an interpreter and a third-party representative from a counseling center to accompany them to all interviews. The law also exempted trafficking victims from criminal prosecution for minor crimes committed during the course of their trafficking. Subject to certain requirements, victims could join criminal trials as joint plaintiffs, and were

entitled to free legal counsel and pursuit of civil remedies; however, victims often had difficulty obtaining compensation in practice. Under law revised in 2017, a court could award compensation and damages as part of the criminal proceeding without a separate civil action.

PREVENTION

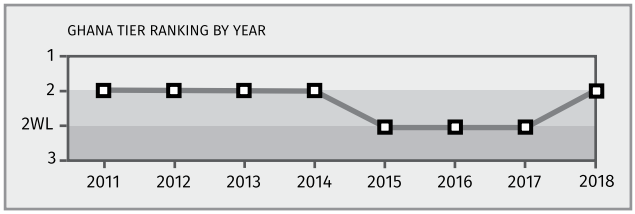
The government maintained efforts to prevent trafficking. Germany had no formal national action plan as recommended by GRETA; however, three distinct federal-state working groups (Labor Trafficking, Sex Trafficking, Exploitation of Children and Trafficking) met several times during the year and disseminated best practices, provided input and evaluation on the government's efforts, and collaborated with anti-trafficking coordination bodies at state and local levels. Officials noted anti-trafficking strategies were developed at the state level and then coordinated between states. Working with NGOs, the government co-funded and implemented various public awareness campaigns, including media and film production, poster contests and exhibitions, and brochures on identifying labor trafficking. The government, in cooperation with an NGO, continued to hold informational events for domestic workers on their rights. Authorities also conducted annual in-person interviews with domestic workers employed by embassies in Berlin without the presence of their employers. The government continued to fund a hotline in 17 languages for women affected by violence that received more than 100 calls from potential trafficking victims in 2016. The revised law required registration of those involved in the legal commercial sex industry and background checks on brothel management employees. However, the government did not make significant efforts to reduce the demand for commercial sex or forced labor. The government-funded bilateral and EU anti-trafficking programs in source countries in 2017, notably in Nigeria and Burkina Faso. The Labor, Economic, and Development Ministries collaborated on programs to comply with OSCE guidelines on trafficking in supply chains. The government did not provide anti-trafficking training for its diplomatic personnel, but did so for troops prior to deployment on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Germany is a source, transit, and destination country for women, children, and men subjected to sex and labor trafficking. Most identified sex trafficking victims in Germany are EU citizens, primarily Bulgarians, Romanians, and Germans, although victims also come from most other regions of the world, particularly China, Nigeria, and other parts of Africa. Labor trafficking victims are predominantly European, including Ukrainians, Bulgarians, Poles, and Romanians, as well as Afghans, Pakistanis, and Vietnamese. Traffickers exploit victims of forced labor at construction sites, hotels, meat processing plants, seasonal industries, restaurants, and as caregivers in private homes. Roma and foreign unaccompanied minors were particularly vulnerable to trafficking, including forced begging and coerced criminal behavior. The large influx of migrants during the 2015 and 2016 refugee crises, and a continuing flow of irregular migrants northward from Mediterranean crossings, continue to strain government resources at all levels and among agencies responsible for combating trafficking. Several foreign governments also reported German citizens engaged in sex tourism abroad.

GHANA: TIER 2

The Government of Ghana does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ghana was upgraded to Tier 2. The government demonstrated increasing efforts by validating and implementing the national anti-trafficking action plan and expending funds allocated for the plan; prosecuting and convicting labor and sex traffickers under the Human Trafficking Act; increasing interagency cooperation in efforts to remove child victims from trafficking situations; adopting systematic procedures for identifying and referring trafficking victims for services; and conducting and providing support for anti-trafficking public awareness activities. However, the government did not meet the minimum standards in several key areas. The government did not adequately address corruption and political interference in trafficking investigations and prosecutions or convene the inter-ministerial board responsible for anti-trafficking policy and administration of the human trafficking fund. The lack of sufficient resources for effective investigation and evidence collection and the shortage of state attorneys hindered prosecutions, and the courts failed to hold some convicted traffickers accountable with sentences strong enough to deter the crime. The limited availability of shelter spaces for children and the absence of any shelter for adult victims severely hampered the government's ability to protect and provide services to identified victims and impeded some officials from taking action to remove potential victims from trafficking situations.



RECOMMENDATIONS FOR GHANA

Provide increased resources to enable police and immigration service investigators, in cooperation with social welfare workers, to respond in a timely way to reports of suspected sex or labor trafficking, gather and preserve evidence effectively, and protect potential victims; increase efforts to address corruption and other interference that impede the investigation and prosecution of trafficking crimes; provide increased resources to support comprehensive trauma-informed care and reintegration services for adult and child trafficking victims in government-operated shelters; develop and provide specialized services for child and adult victims of sex trafficking; increase efforts to ensure attorney general prosecutors review human trafficking case dockets with investigators and lead the prosecution of human trafficking cases; hold traffickers accountable through prosecution and conviction under the anti-trafficking act and sentencing that is strong enough to deter others from committing these crimes; amend the 2015 implementing regulations for the 2005 Ghana Anti-Trafficking Act to remove the option of a fine in lieu of imprisonment in cases where the trafficker is a parent or guardian of the child victim; implement standard operating procedures (SOPs) for law enforcement, social welfare personnel, and labor inspectors throughout Ghana to proactively identify trafficking victims and refer them to protective services; increase efforts to identify and assist Ghanaian migrant workers who are in trafficking situations

in other countries and investigate and prosecute recruitment agents and others suspected of participating in their trafficking; continue to implement the national plan of action against trafficking with dedicated resources, including administration of the human trafficking fund to expand victim services; provide advanced training to law enforcement on evidence collection in trafficking cases and to prosecutors and judges on pursuing cases under the anti-trafficking act; and implement systematic nationwide collection and reporting of data on investigations, prosecutions, victims identified by enforcement and protection agencies, and assistance provided.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. The 2005 Human Trafficking Act, amended in 2009, criminalized sex and labor trafficking. The Human Trafficking Act prescribed penalties of a minimum of five years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. However, the 2015 regulations for this Act provide specific guidance on sentencing depending on the circumstances; in general the term is not less than five years and not more than 25 years, but if a parent, guardian or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine, a term of imprisonment of not less than five years and not more than 10 years, or both. By allowing for a fine in lieu of imprisonment, these prescribed punishments are not commensurate with those for other serious crimes, such as rape.

The government reported initiating 113 total investigations into suspected human trafficking during calendar year 2017, compared to 138 investigations in 2016. Of the 113, the Ghana Police Service (GPS) Anti-Human Trafficking Unit (AHTU) reported conducting 91 investigations of potential trafficking crimes, compared with 118 investigations in 2016. Of these 74 were labor trafficking investigations, most of which were trafficking within Ghana, and 17 were sex trafficking investigations, all of which involved cross border trafficking. The Ghana Immigration Service (GIS) reported investigating 22 suspected trafficking cases compared with 20 cases in 2016; of these, 18 were labor trafficking cases and four were sex trafficking. The government reported investigating five recruitment agents for suspected human trafficking during the reporting period, compared to three in 2016. As in past years, the government did not prosecute or convict any recruitment agents for fraudulent offers of employment and/or excessive fees for migration or job placement in 2017. The government reported initiating 29 prosecutions against 56 alleged traffickers, compared to 11 prosecutions involving 11 defendants in 2016. The government prosecuted 46 defendants for alleged labor trafficking and 10 defendants for alleged sex trafficking. The government prosecutions included 26 by the GPS involving 52 defendants, compared to eight GPS prosecutions in 2016. The GIS initiated prosecutions against three suspected traffickers, one allegedly involved in child labor trafficking and two allegedly involved in sex trafficking, under the Immigration Act due to insufficient evidence to proceed with trafficking charges, compared to three defendants prosecuted by the GIS in the prior year. The GIS also continued prosecuting one alleged labor trafficker charged in 2016. The government reported a state attorney initiated prosecution of one alleged trafficker in high court and a state attorney continued a 2014-initiated prosecution of an Egyptian national and a Ghanaian conspirator for suspected illegal labor recruitment and human trafficking. The GPS also transferred three suspected traffickers to Nigerian authorities after the court case was delayed due to the judge's illness and the lack of shelter. The government did not provide information on prosecutions initiated in prior years, which were stalled reportedly due to a lack of evidence, reluctance of victims to testify, or inability to locate the defendant. In 2017, the government convicted six traffickers, all of them prosecuted by the GPS under the anti-trafficking act; this compares to zero convictions under the anti-trafficking act and seven convictions for suspected trafficking offenses under other statutes that resulted in lesser penalties in 2016. The GIS convicted three individuals for immigration violations such as possessing false documents and deceiving public officials; these cases which were initially reported as suspected labor trafficking and sex trafficking crimes. Sentences imposed for the trafficking act convictions varied by the court hearing the case and ranged from six months imprisonment with a fine and victim restitution to five years imprisonment. A circuit court sentenced two traffickers convicted of forced labor to imprisonment of five years; a district court sentenced two traffickers convicted of forced labor to imprisonment of one year; and a circuit court sentenced two traffickers convicted of sex trafficking to six months imprisonment and payment of 10,000 cedis ($2,210) in restitution to the victims and a fine of 3,600 cedis ($800) or, if in default, a sentence of three years imprisonment. The district courts sentenced three individuals convicted of immigration act violations to fines of 600 to 1,200 cedis ($130 to $270). The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, officials acknowledged, and NGOs and other organizations continued to report, general corruption within the police and judicial system as well as political interference with police investigations and prosecutions of suspected human trafficking as ongoing concerns.

Throughout the year, the GPS and GIS personnel reported a lack of adequate facilities, operating funds for logistics and investigative equipment, as well as appropriate shelter facilities for identified victims, which hampered or delayed investigative operations to remove potential victims from exploitative situations. State attorneys declined to prosecute several suspected trafficking cases due to inadequate evidence collection by police. While the Attorney General's (AG) Department continued to report a shortage of prosecutors, police prosecutors, who lack formal legal training and whose actions in cases are limited by procedural rules not applicable to state attorneys, initiated all but one of the trafficking prosecutions. The government supported introductory anti-trafficking training for 313 GIS recruits and 54 cadets, as well as a refresher course for 107 officers at the GIS training school; and provided in-kind support for numerous donor-funded training programs for hundreds of investigators, prosecutors, judges, social service personnel, labor officers, and journalists during the reporting period.

PROTECTION

The government increased efforts to identify and assist victims. The government reported identifying 579 potential victims of trafficking compared to 163 potential victims identified during the previous year. The GPS reported identifying 339 potential victims compared with 121 potential victims in 2016. Of these, 310 were potential victims of labor trafficking, most of whom were boys and many of whom were intercepted while being transported in groups within Ghana; 29 females were identified in suspected sex trafficking cases, nearly all of whom were adults. The GIS identified 215 females as potential trafficking victims compared with 42 in 2016. Of these, 203 were potential victims of labor trafficking and 12 were potential

victims of sex trafficking; nearly all of these potential victims were adults and many were intercepted while in transit to overseas employment. The Ministry of Gender, Children and Social Protection (MOGCSP) and the Department of Social Welfare (DSW) reported identifying 25 potential victims of labor trafficking, nearly all of whom were boys. Of the victims identified by the GPS and GIS, 32 were foreign national victims of labor or sex trafficking in Ghana, including 23 Nigerian sex trafficking victims. Ghanaian law enforcement collaborated with Nigerians residing in Ghana and the Nigerian foreign ministry and anti-trafficking authorities on the repatriation of the Nigerian citizens. In addition, the Ministry of Foreign Affairs and Regional Integration (MFARI), MOGCSP, GIS, and GPS cooperated in facilitating the repatriation of approximately 35 Ghanaian trafficking victims identified abroad, primarily in Middle East, by liaising with the victims' families, international organizations, and the government in the destination countries. Private citizens and international organizations continued to take primary responsibility for funding the return of Ghanaians exploited in trafficking situations abroad.

The government reported providing counseling and referring 560 of the 579 potential victims of trafficking for care during the reporting period; however, the government did not provide details about the care for most victims. With the combined support of the Human Trafficking Secretariat and GPS totaling 13,200 cedis ($2,920), DSW provided short-term care for 31 child victims of trafficking in a shelter for abused children in Osu, where they received psycho-social and educational services. This shelter lacks security and is co-located with a girls correctional facility and a juvenile pre-trial detention facility with no structural barrier protecting the victims from criminal offenders. The government also provided a total of 22,600 cedis ($5,000) to three NGOs to support shelter and care for 95 child victims of trafficking and two adult female victims and their children. GIS provided 97,930 cedis ($21,670) to support the protection of adult victims. The government also reported it allocated 22,200 cedis ($4,910) to a children's shelter operation fund and 30,000 cedis ($6,640) for future operation of a shelter for adults that was under renovation in 2017. The government continued to rely on private facilities operated by NGOs and faith-based organizations to provide the care and treatment for most child trafficking victims in Ghana, for which it did not provide support. Working in cooperation with an international organization, the government contributed to the renovation of the only government shelter previously dedicated for child trafficking victims, but the facility remained closed due to incomplete renovations and pending approval of a memorandum of understanding between the MOGCSP and the donor organization outlining the government's support for the shelter's operations. Nonetheless, the overall shelter capacity for child labor trafficking victims was limited and most shelters did not provide services for child sex trafficking victims, which hampered efforts to remove potential child trafficking victims from exploitative situations. The absence of any shelter for adult victims of trafficking severely hampered the government's ability to provide services to adults. For immediate protection in some cases the government supported ad hoc shelter in safe houses for adult female victims and in two cases provided shelter for two female victims and their children in a shelter for children; no services were provided for adult male victims of trafficking. The MOGCSP established a toll free hotline in mid-December to facilitate access to social welfare programs, including services for human trafficking victims; it reported receiving 30 calls, one of which was referred to the GPS AHTU.

NGOs reported improved cooperation with national, regional, and local government officials in response to NGO reports of suspected child trafficking and during law enforcement-led operations that were coordinated with the navy, marine police, and local social welfare workers, who were responsible for screening victims, securing care orders through the district courts, and arranging placement for child victims. The government collaborated with an international organization and NGOs to finalize and begin implementation of SOPs for screening, identifying, and referring victims during the reporting period. Ghanaian law permits victims of trafficking to pursue restitution by filing a civil suit. The government did not report any such suits or whether the traffickers ordered to pay restitution to two victims complied with the order. Foreign victims may seek temporary residency during the investigation and prosecution of their cases and, with the interior minister's approval, permanent residency if deemed to be in the victim's best interest; no victims sought temporary or permanent residency during the year. There were no reports that officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of full implementation of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased anti-trafficking prevention efforts. With input from stakeholders and support from an international organization as well as its own resources, the government finalized, validated, and began implementation of its National Plan of Action for the Elimination of Human Trafficking in Ghana, 2017-2021 (NPA), which includes activities under four objectives aligned with the "4P" paradigm of prosecution, protection, prevention, and partnership. Of the approximately 1.5 million cedis ($331,860) allocated for implementation of the plan in 2017, the government released 730,000 cedis ($161,500) in 2017, and expended 150,000 cedis ($33,190) to disseminate the NPA and support numerous human trafficking public awareness activities at the national, regional, district, and community levels. The government deposited 500,000 cedis ($110,620) into the human trafficking fund. Expenditure of these funds awaited inauguration of the Human Trafficking Management Board (HTMB), the inter-ministerial committee mandated to meet at least quarterly, administer the fund, advise the MOGCSP on anti-trafficking policy, promote prevention efforts, and facilitate the protection and reintegration of trafficking victims. The HTMB, dissolved in January due to the change in government, did not meet in 2017. The Human Trafficking Secretariat lacked sufficient personnel and government funds to fulfill its mandate to conduct monitoring and evaluation, data collection, and research related to trafficking. With donor support, government representatives of the Human Trafficking Secretariat, GPS, GIS, DSW, and state attorneys worked collaboratively with an international organization to develop systematic data collection methods to compile and report governmental anti-trafficking activities; however, the new methods were not implemented. The local government authorities in 32 communities in three regions partnered with an NGO to conduct community-level training on child trafficking prevention and identification and appropriate care for child trafficking victims.

In response to continued reports of sex and labor trafficking, as well as serious physical abuse of Ghanaian women recruited for domestic work and hospitality jobs in the Middle East, in June the Minister of Employment and Labor Relations banned the issuance of work permits for jobs in the Middle East, and subsequently formed a cabinet-level committee with MFARI,

Ministry of the Interior, and MOGCSP to examine recruitment processes. Since the ban, the GIS, which was responsible for examining exit permits issued by the Labor Department before a Ghanaian worker departed the country for foreign employment, reported an increase in Ghanaian workers' use of land borders to access airports outside of Ghana in order to fly to the Middle East. With foreign donor support, the government collaborated with an international organization to train recruitment agencies to identify emigrants vulnerable to trafficking and conduct a session on safe migration in the Brong Ahafo region. The government negotiated a bilateral agreement with the Government of Qatar that is under review by the AG. The government did not report on its efforts to implement the labor recruitment agreement signed with Jordan in 2016. Ghana also signed a cooperation agreement with other West African countries on the fight against child trafficking and the worst forms of child labor in the cocoa sector. The government made no efforts to decrease the demand for forced labor or for commercial sex acts. The government relied on foreign donors to provide anti-trafficking training to Ghanaian troops prior to their deployment abroad on peacekeeping missions. The government did not report providing anti-trafficking training for its diplomatic personnel.

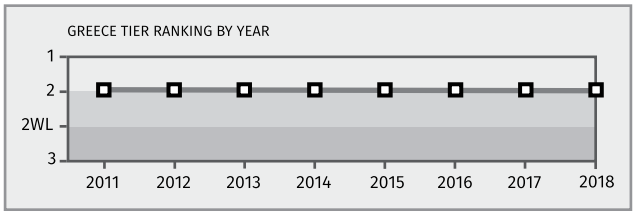
TRAFFICKING PROFILE

As reported over the past five years, Ghana is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ghanaian boys and girls are subjected to forced labor within the country in fishing, domestic service, street hawking, begging, portering, artisanal gold mining, quarrying, herding, and agriculture, including cocoa. Donor-funded research focused on the fishing industry on Lake Volta indicated that more than half of the children working on and around the lake were born in other communities and many of these children are subjected to forced labor; not allowed to attend school; given inadequate housing and clothing; and are controlled by fishermen through intimidation, violence, and limiting access to food. Boys as young as five years old are forced to work in hazardous conditions, including deep diving, and many suffer waterborne infections; girls perform work on shore such as cooking, cleaning fish, and preparing fish for market, and are vulnerable to sexual abuse. A study of the prevalence of child trafficking in selected communities in the Volta and Central Regions indicated that children from nearly one-third of the 1,621 households surveyed had been subjected to trafficking, primarily in fishing and domestic servitude. Child trafficking in the fishing industry is often facilitated by parents who receive a payment and organized traffickers who target vulnerable communities; girls exploited in domestic servitude are often sent via relatives or middlemen to work in harsh conditions. Boys aged 13-16 years who finished primary school in northern areas of Ghana are vulnerable to forced labor in agriculture, including in cocoa-growing areas; their transit is often facilitated by middlemen or relatives. Children living in northern regions sent by their parents to work in the south during the dry season are vulnerable to forced labor in agriculture and other sectors. Ghanaian girls, and to a lesser extent boys, are subjected to sex trafficking in urban areas across Ghana. Though reports are declining, some Ghanaian girls are subjected to forced servitude as part of a ritual to atone for sins of a family member. Ghanaian girls and young women from the rural northern regions move to urban centers throughout Ghana to seek work as porters; they are at risk for sex trafficking and forced labor.

Ghanaian women and children are recruited and sent to the Middle East, West Africa, and Europe for forced labor and sex trafficking. Unscrupulous agencies arrange transport of Ghanaians seeking employment in Europe through neighboring African countries, where they are subjected to sexual exploitation and held involuntarily by traffickers who extort funds from the victims. Recruiters entice Ghanaian women and girls with offers of good paying jobs in domestic service or the hospitality industry in countries in the Middle East and attempt to circumvent the ban on recruitment for such jobs by arranging travel across land borders to access airports for flights to the region. After their return, many of them report being deceived, overworked, starved, abused, molested, and/or forced into prostitution. Ghanaian men are also recruited under false pretenses to go to the Middle East, where they are subjected to forced labor and forced prostitution. In recent years, a few Ghanaian men and women were identified as victims of forced labor in the United States. Nigerian women and girls who are lured to Ghana by the promise of a good job are coerced into prostitution to pay exorbitant debts for transportation and lodging. Some Ghanaian and Nigerian labor migrants are coerced into prostitution by traffickers who demand more money for transit and document costs. Children from West African countries are subjected to forced labor in Ghana in agriculture or domestic service. Ghana is a transit point for West Africans subjected to sex trafficking in Europe, especially Italy and Germany. Corruption and bribery in the judicial system hinder anti-trafficking measures.

GREECE: TIER 2

The Government of Greece does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Greece remained on Tier 2. The government demonstrated increasing efforts by establishing formal procedures for the national referral mechanism, and investigating and convicting more traffickers. However, the government did not meet the minimum standards in several key areas. The government lacked proactive identification efforts, particularly for forced labor and unaccompanied children, and specialized support for victims remained inadequate or inaccessible. Court proceedings often lasted two to six years and lacked victim-centered approaches, hindering cooperation from victims and key witnesses.



RECOMMENDATIONS FOR GREECE

Increase proactive identification efforts for victims of forced labor and victims among vulnerable populations and refer them to specialized services; strengthen specialized services including shelter and psycho-social support for all victims, including children, adult males, and victims in rural areas; vigorously investigate, prosecute, and convict traffickers, including officials complicit in trafficking; decrease the length of court proceedings for trafficking cases; develop policies for victim-centered prosecutions and implement witness protection provisions already incorporated into law to encourage

victims' participation in investigations and prosecutions; take concrete steps to expedite the victim identification process and consistently include psychologists and social workers; provide training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions, particularly in rural areas and for non-specialized staff; train first responders on victim identification and the national referral mechanism; standardize data collection and produce accurate data on anti-trafficking efforts; consistently inform victims of their right to compensation; and draft a national action plan for combating trafficking.

PROSECUTION

The government increased law enforcement efforts. Article 323A and article 351 of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and a fine between €10,000 ($12,000) to €50,000 ($60,020). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police investigated 21 cases with 147 suspects (25 cases with 97 suspects in 2016), 20 cases of sex trafficking and one case of forced labor (18 sex trafficking cases and seven forced labor cases in 2016). The government prosecuted 26 defendants (32 defendants in 2016), 21 defendants for sex trafficking and five defendants for forced labor (25 for sex trafficking and seven for forced labor in 2016). Courts convicted 37 traffickers in 26 cases (11 traffickers in eight cases in 2016), 35 for sex trafficking and two for forced labor (10 for sex trafficking and one for forced labor in 2016). Of the 33 convictions for which the government provided sentencing data, 31 received prison sentences of more than 18 months. Eleven sex traffickers received prison sentences between 18 months and nine years with fines ranging between €1,000 ($1,200) to €50,000 ($60,020). Nineteen sex traffickers received prison sentences between 10 years and 20 years with fines ranging between €25,000 ($30,010) and €71,300 ($85,590). One labor trafficker received four months imprisonment and another received 10 years with a fine of €50,000 ($60,020). The government sentenced one trafficker to community-based rehabilitation and could not provide sentencing data for four traffickers. Courts also issued six convictions at the second instance (one in 2016); sentences ranged from three years and a small fine to six years and €10,000 ($12,000).

The Hellenic Police Unit maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Division composed of two units with 37 officers in Athens and 10 officers in Thessaloniki that investigated trafficking and vice crimes and 12 smaller units across municipalities that investigated trafficking and organized crime. ATU officers conducted joint inspections with labor inspectors on 206 companies and regularly inspected brothels, bars, and massage parlors. However, observers reported the 12 smaller units often consisted of one appointed officer to handle trafficking cases among many other duties and lacked the resources and staff to conduct proactive investigations. NGOs continued to report good cooperation with law enforcement and excellent cooperation with ATU. The government maintained two specialized public prosecutors in Athens; one attached to the first instance court and the other to the appeals court. The government trained front-line officers on trafficking issues, but observers reported non-specialized law enforcement and government officials, particularly in rural areas, lacked an understanding of trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking; still, corruption and official complicity in trafficking crimes remained concerns. Observers reported traffickers likely bribed state certified interpreters to alter the content of victim statements or influence their testimony. In 2016, the government prosecuted two police officers involved in an organized criminal group that sexually exploited women. The government extradited four suspected traffickers in 2017 (three to Switzerland in 2016) and prepared extradition for two individuals. The government shared information with 14 European countries on trafficking cases.

PROTECTION

The government maintained victim protection efforts. The government identified 38 victims (46 in 2016); 35 victims were subjected to sex trafficking and three to forced begging (26 to sex trafficking, nine to forced labor, and eleven to forced begging in 2016); 24 were adults and 14 were children (30 adults and 16 children in 2016); 34 were female and four male (30 females and 16 males in 2016); and four victims were Greek and 34 were foreign citizens (11 Greeks and 35 foreign citizens in 2016). Statistics included some, but not all, potential victims identified by non-law enforcement entities. First responders followed standard operating procedures for identifying victims. The government, separately and in cooperation with international organizations and NGOs, trained law enforcement, immigration officers, social service workers, labor inspectors, airport staff, and health workers on victim identification. The government reported increased identification efforts targeting migrants and asylum-seekers and slightly improved interagency coordination at migrant reception centers; authorities identified three potential victims in reception centers. However, observers continued to report some cases of inadequate or hasty screening procedures and vulnerability assessments at migrant entry points and camps. ATU and civil society conducted proactive identification efforts, but most government efforts were reactive and identification resulted only from victims self-identifying. GRETA reported a lack of identification efforts for victims of forced labor, particularly in the agriculture sector, cleaning and domestic service, and the tourism industry. Proactive identification among vulnerable unaccompanied children also remained inadequate, including for forced begging and forced criminality. The law mandated public prosecutors to officially recognize victims based on information collected by law enforcement, or a psychologist and a social worker if a victim did not want to cooperate with law enforcement; public prosecutors officially certified all 38 identified victims in 2017 (four in 2016). Official victim status entitled foreign victims to a renewable one-year residence and work permit, but potential victims without this status had access to equal support and assistance; public prosecutors officially certified 38 victims (four in 2016). Observers reported the government did not consistently use psychologists and social workers for identification procedures and procedures often took six to 12 months for victims to receive official status. Observers also reported the government did not recognize potential victims who were exploited abroad but identified in Greece, creating obstacles in accessing support entitled by law.

The government maintained a national referral mechanism and, in 2017, created and disseminated a manual for identification procedures and standard referral forms. The government also held regular working group meetings to further define roles and responsibilities among law enforcement, government agencies, and NGOs; the labor inspectorate appointed five staff members to participate in the working groups. NGO-run support services reported improved cooperation and increased referrals from law enforcement, but some police officers remained reluctant to refer victims to NGO-run support services. The government,

in cooperation with NGOs, provided shelter, psycho-social support, medical care, legal aid, and reintegration support. The government was unable to determine how much funding was spent on victim protection and did not allocate funding to civil society. The government maintained a cooperation agreement with three NGOs to house, protect, and assist vulnerable women and children, including trafficking victims, and allocated three buildings to use as shelters. Observers reported a lack of specialized shelters for trafficking victims; only one NGO-run shelter provided shelter specifically for female trafficking victims. The government provided shelter and general support services to trafficking victims through two agencies: the General Secretariat for Gender Equality operated 19 shelters and 40 counseling centers for female victims of violence and the National Social Solidarity Center operated two long-term shelters, an emergency shelter, and two Social Support Centers for vulnerable populations in need of assistance. Victims in rural areas had little access to support services and were often accommodated in police stations, hospital wards, or received no assistance. Male victims could be accommodated in an NGO-run shelter for sexually exploited men or short-term government shelters for asylum-seekers or homeless persons. Government-run shelters, NGO-run shelters, and facilities for unaccompanied minors accommodated child victims but did not provide specialized support. Observers reported overcrowded facilities for child victims and GRETA reported authorities held unaccompanied children in police cells up to several months due to a lack of shelters. Victims who did not apply for official recognition could receive a residence and work permit by applying for asylum on humanitarian grounds; the government issued 15 residence permits (23 in 2016). Observers reported the process to receive residence permits took time, but the government granted victims a temporary document that prevented deportation or detainment.

The government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. Experts reported a lack of victim-centered approaches, including cases of law enforcement conducting interviews described by victims as interrogations. There were also reports of authorities not adequately informing victims about court proceedings and lacking interpretation services for foreign victims. Court proceedings often lasted two to six years, which hindered cooperation from victims and key witnesses. The government did not provide funding for travel and other expenses for victims to attend court hearings and observers reported traffickers might have paid bribes to repatriated trafficking victims to preclude them from testifying. The law entitled victims to mental health professionals during court proceedings and the use of audiovisual technology for remote testimony, but many courts lacked the capabilities to deploy these resources and many judges continued to require victims to appear in front of their trafficker in court, causing re-traumatization. Observers reported judges lacked sensitivity and an understanding of the impact of psychological trauma on victims' ability to consistently and clearly relate the circumstances of their exploitation and inappropriately dismissed as unreliable victim testimony. The law provided for witness protection and non-disclosure of the witness' personal information; however, observers reported no trafficking victims had received full witness protection privileges to date and courts sometimes revealed victims' identities during proceedings. The law entitled victims to file civil suits against traffickers for compensation but no victims to date had received compensation or received restitution from their traffickers. The government reported trafficking victims had never applied for compensation.

PREVENTION

The government increased efforts to prevent trafficking. The Office of the National Rapporteur on Human Trafficking (ONRHT) continued to coordinate government wide anti-trafficking efforts despite lacking sufficient resources. The government monitored anti-trafficking efforts but did not have a national action plan and did not make assessments publicly available. ONRHT continued the development of a national database for trafficking statistics. ONRHT organized and funded its third national two-day anti-trafficking awareness festival and signed a memorandum of cooperation with a network of businesses to promote forced labor free supply chains through awareness raising activities. The government held awareness raising events for public transportation staff and passengers and provided airtime for free public service announcements for NGOs and government agencies on trafficking issues. In March 2017, the European Court of Human Rights ruled that Greece failed to protect 42 Bangladeshi victims on a strawberry farm near the town of Manolada in a forced labor case in 2013. The court ordered Greece to pay each of the applicants who had participated in the proceedings between €16,360 and €20,360 ($19,640 and $24,440). The government continued efforts to reduce the demand for commercial sex and forced labor.

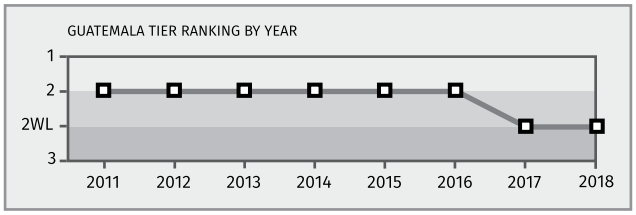
TRAFFICKING PROFILE

As reported over the past five years, Greece is a destination, transit, and, to a limited extent, source country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Some women and children from Eastern and Southern Europe, South Asia, Russia, Nigeria, and China are subjected to sex trafficking in unlicensed brothels, on the street, in strip clubs, in massage salons, and in hotels. Victims of forced labor in Greece are primarily children and men from Eastern Europe, South Asia, and Africa. Migrant workers from Bangladesh, Pakistan, and Afghanistan are susceptible to debt bondage, reportedly in agriculture. Economically marginalized Romani children from Albania, Bulgaria, and Romania are forced to sell goods on the street, beg, or commit petty theft in Greece. The increase in unaccompanied child migrants in Greece has increased the number of children susceptible to exploitation. Some public officials have been investigated for suspected involvement in human trafficking. Unaccompanied children, primarily from Afghanistan, engage in survival sex and are vulnerable to trafficking. Recruiters target migrants in refugee camps from their own countries. Most migrants and asylum-seekers are believed to rely on smugglers at some point during their journey and in some instances are forced into exploitation upon arrival in Greece.

GUATEMALA: TIER 2 WATCH LIST

The Government of Guatemala does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by developing its national anti-trafficking action plan for 2018-2022, prosecuting and convicting more traffickers, opening a new regional anti-trafficking unit, and publishing its victim protection protocol in several Mayan dialects. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government identified fewer trafficking victims for the second consecutive year; did not address underlying problems in the nation's shelters providing

for children, including trafficking victims; and specialized victim services remained inadequate given the scope of the problem and lack of services for adult victims. Corruption and complicity remained significant concerns, inhibiting law enforcement action. Therefore Guatemala remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR GUATEMALA

Review shelter standards and operations in shelters providing for child trafficking victims nationwide and address overcrowding, abuse, and neglect; investigate and hold government officials criminally accountable for complicity in trafficking; improve access to and quality of specialized services for adult victims; sustain efforts to identify trafficking victims, particularly among vulnerable populations, such as working children, returning migrants, individuals in prostitution, and children apprehended for illicit gang-related activities; fully implement the 2018-2022 national anti trafficking action plan; increase training for judges, who under Guatemalan law have the sole responsibility to refer victims to care, and ensure all victims are referred quickly to appropriate care facilities; investigate and prosecute trafficking offenses, with increased focus on suspected cases of forced labor and domestic servitude; allocate and disburse funding for specialized victim services, including those administered by NGOs; increase efforts to investigate, prosecute, and convict child sex tourists and others engaged in sex trafficking of children; as part of developing a cadre of specialized prosecutors and judges outside of the capital, increase training to law enforcement and criminal justice officials so that forced labor and sex trafficking cases are investigated and prosecuted as trafficking according to the international definition of trafficking; provide reintegration and witness protection support to victims; and target prevention activities toward the most vulnerable populations, including indigenous communities.

PROSECUTION

The government increased law enforcement efforts. The anti-trafficking law of 2009 criminalized sex and labor trafficking and prescribed penalties from eight to 18 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not consider the use of force, fraud, or coercion as an essential element of an adult trafficking offense. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation.

The government initiated investigations of 254 complaints of trafficking-related offenses in 2017, compared to investigations of 243 complaints in 2016. In previous years, the government did not specify how many of the total offenses were specifically trafficking rather than related offenses; however, in 2017, the government reported 127 of these complaints were specifically trafficking in persons offenses. Authorities prosecuted 52 defendants for sex trafficking and forced labor compared to 43 defendants in 2016. Authorities secured 19 convictions, including for forced labor in 2017, compared to 13 convictions in 2016, with sentences ranging from eight to 15 years imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, despite significant concerns of official complicity and corruption. The government opened a 12-person regional anti-trafficking unit in Quetzaltenango, Guatemala's second largest city, which had jurisdiction over eight departments and 38 percent of the country's population, including those closest to the Mexican border. Some judges, especially in the interior, lacked adequate training to apply forensic evidence in prosecutions, which led to cases tried as sexual assault rather than trafficking. Guatemalan officials trained police academy recruits, crime scene experts, prosecutors, and judges on trafficking indicators and processing trafficking cases.

PROTECTION

The government decreased efforts to identify and protect victims. The government and NGOs identified 316 trafficking victims in 2017, a significant decrease compared to 484 in 2016 and 673 in 2015. Reported data did not specify the types of trafficking involved in those cases. Of the 316 trafficking victims identified, 292 were children and 24 were adults. The government made efforts to address child forced labor by conducting a simultaneous operation against 36 tortilla vendors and identified 22 possible child labor victims and arrested nine alleged traffickers. The Secretariat against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) provided training, published in several Mayan dialects, and continued to implement the inter-institutional protocol for the protection and attention to victims of human trafficking, first published in 2016. While some government officials continued to implement another protocol to identify potential forced labor victims during labor inspections, NGOs expressed concern the labor ministry did not proactively look for indicators of forced labor, including in the agricultural sector where workers were particularly vulnerable to forced labor.

Guatemalan law required judges make all referrals to public or private shelters. The attorney general published a new victim assistance protocol and victims' bill of rights in 2017 with the goal of improved investigation and prosecution while maintaining victim services. In 2017, judges referred 210 victims to care facilities for assistance compared to 256 victims referred in 2016. In practice, judges did not make timely referrals, delaying access to needed assistance. Judges at times referred child victims to their families, leaving some vulnerable to re-trafficking, as family members often were involved in their exploitation. Authorities repatriated eight trafficking victims in coordination with foreign consular officials and in accordance with an established protocol. The government screened returning unaccompanied children for trafficking indicators using Secretariat of Social Welfare (SBS) protocols for the attention and reception of such children in two government shelters. The government provided 17.6 million quetzals ($2.4 million) in funding for three government shelters, as well as NGOs that provide specialized services, mostly for child trafficking victims. The three government run shelters housed 89 trafficking victims (80 girls, seven boys, and two women) in 2017, compared to 77 in 2016.

NGOs housed and provided services to 127 trafficking victims, including victims of sex trafficking and forced labor, adults and children, female and male victims. Observers reported NGOs

provided the highest quality and most comprehensive care for child victims, including food, housing, medical and psychosocial services, education, and reintegration services. One NGO shelter provided services to adult female victims, but did not allow freedom of movement for such victims. SVET shelters also provided such services in cooperation with other government agencies and implemented improvements to provide vocational training leading to certifications in computer programming and cooking. SBS shelters provided basic services, including food and housing, and more advanced services, such as health care, vocational education, and therapy. The quality and availability of specialized victim services remained uneven due to a lack of services for adult and male victims. NGO shelter operators expressed concern for victims' safety and vulnerability to re-trafficking upon being discharged from shelters. They cited insufficient ongoing case management and reintegration services in government shelters, leaving some victims vulnerable to re-trafficking or retaliation from traffickers—particularly those whose cases involved organized crime groups or public officials. The government prosecuted seven government officials for offenses including, but not limited to, abuse of power, neglect of their duties, and maltreatment of minors for the March 2017 fire in an overcrowded government-managed shelter, which resulted in the deaths of 41 girls and injuries to others. The shelter had previously faced allegations of corruption, sexual exploitation, and a UN investigation into the shelter's management. Following the fire, Guatemala's president called for a restructuring of the country's shelter system, and in March 2018 the government published a new 2017-2032 action plan on the protection of children and adolescents, which includes an objective of protecting trafficking victims and children in state-run institutions.

Authorities encouraged victims to assist in the investigation and prosecution of traffickers and made options available for private testimony. Victims residing in government facilities did not receive adequate legal support or witness protection. Prosecutors cited the lack of appropriate protection options for adult victims as an impediment to pursuing prosecutions in cases involving adults. Judges may order restitution when sentencing traffickers, and victims also had the right to file civil claims for compensatory damages and harm suffered as a result of being subjected to trafficking; the government did not report any victims who received restitution or a civil damages award, compared to seven victims who received restitution in 2016. The government did not recognize children forced to engage in criminal activity as trafficking victims; officials acknowledged some of these victims may have been prosecuted or otherwise treated as criminals. Guatemalan law provided legal alternatives to the removal of foreign victims who may face hardship or retribution upon return to their home countries, but all known foreign victims opted for repatriation. Foreign victims had the same access to care as domestic trafficking victims. The government repatriated five Guatemalan trafficking victims identified in other countries.

PREVENTION

The government maintained prevention efforts. SVET served as the secretariat for the interagency anti-trafficking commission, coordinated government efforts against trafficking, and held 13 meetings attended by both government officials and NGOs. In 2017, SVET initiated 13 departmental networks, adding to the 11 existing networks, which identified trafficking cases and conducted prevention activities. The anti-trafficking commission, with technical assistance from international partners, developed and published its national anti-trafficking action plan for 2018-2022. The plan assigned specific goals and responsibilities to relevant government agencies. The government conducted a wide range of initiatives to educate potential victims, the public, government officials, and tourists about the dangers, causes, and consequences of trafficking, including by partially funding the "Blue Heart" campaign for a second year. SVET also ran prevention campaigns on trafficking awareness and sex tourism targeting students, visitors to hospitals, activists, airport security officials, tourist police, businesses, tourism operators, and travelers. The government did not investigate, prosecute, or convict any suspected sex tourists who purchased commercial sex with children during the reporting period. The government developed draft regulations related to labor recruiting of Guatemalan workers. The government worked with NGOs and international partners to promote a campaign to prevent fraudulent recruitment of migrant workers and worked with the private sector to promote policies to exclude products made with forced labor in efforts to reduce the demand for forced labor. The government demonstrated efforts to reduce the demand for commercial sex. The government provided anti-trafficking training to its diplomats and to Guatemalan troops prior to their deployment abroad on international peacekeeping missions.

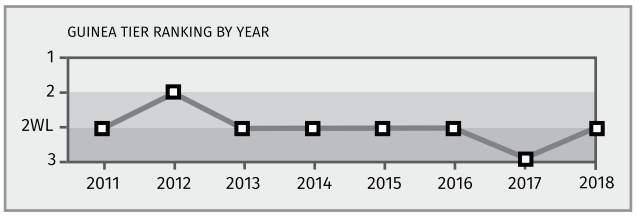
TRAFFICKING PROFILE

As reported over the past five years, Guatemala is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Guatemalan women, transgender persons, girls, and boys are exploited in sex trafficking within the country and in Mexico, the United States, Belize, and other foreign countries. Foreign child sex tourists, predominantly from Canada, the United States, and Western Europe, as well as Guatemalan men, patronize child sex trafficking victims for commercial sex acts. Women and children from other Latin American countries and the United States are exploited in sex trafficking in Guatemala. Guatemalan men, women, and children are exploited in forced labor within the country, often in agriculture or domestic service, and in the garment industry, and domestic service in Mexico, the United States, and other countries. Domestic servitude in Guatemala sometimes occurs through forced marriages. Indigenous Guatemalans, including children, are particularly vulnerable to and exploited in forced labor, including in tortilla making shops. Guatemalan children are exploited in forced begging and street vending, particularly within Guatemala City and along the border with Mexico. Criminal organizations, including gangs, exploit girls in sex trafficking and coerce young males in urban areas to sell or transport drugs or commit extortion. Some Latin American migrants transiting Guatemala en route to Mexico and the United States are subjected to sex trafficking or forced labor in Mexico, the United States, or Guatemala. Police, military, and elected officials have been placed under investigation for paying children for sex acts, facilitating child sex trafficking, or protecting venues where trafficking occurs.

GUINEA: TIER 2 WATCH LIST

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Guinea was upgraded to Tier 2 Watch List. These achievements included prosecuting, convicting, and sentencing to imprisonment

significantly more sex and labor traffickers than in the previous reporting period; allocating modest funding to provide shelter and services to identified trafficking victims; and drafting a new national action plan. Despite these achievements, the government did not provide sufficient funding to the Office for the Protection of Gender, Children, and Morals (OProGen), the police unit responsible for trafficking investigations, and did not allocate a budget to the anti-trafficking committee (CNLTPPA) for the second consecutive year, hindering prevention efforts. It did not report referring all identified trafficking victims to care. In addition, despite the prevalence of child forced begging in Quranic schools, Guinean authorities have never prosecuted a *marabout*—a Quranic teacher—for child forced begging.



RECOMMENDATIONS FOR GUINEA

Vigorously investigate, prosecute, and convict suspected traffickers, including complicit officials and some *marabouts*, and prescribe sufficiently stringent sentences; expand victim care by increasing financial or in-kind support to NGOs that provide victim services; increase funding for OProGen and the CNLTPPA to allow them to fulfill their mandates; train magistrates and prosecutors in the lower courts on the new trafficking articles in the 2016 penal codes; develop and train officials on systematic procedures to identify trafficking victims and refer them to services; regularly convene the CNLTPPA, and provide it sufficient resources; increase efforts to raise public awareness of trafficking, including of internal child forced labor, forced begging in Quranic schools, and adult trafficking; provide OProGen and labor inspectors the resources and training necessary to regulate recruitment agencies, and investigate cases of fraudulent recruitment; respect victims' rights during trafficking investigations; amend the penal code to remove sentencing provisions that allow fines in lieu of imprisonment and increase penalties prescribed for forced begging; designate a single point of contact within the Ministry of Justice to ensure all convicted traffickers serve their prescribed sentences; and enhance collaboration and information sharing among all government agencies involved in combating trafficking.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Article 323 of the penal code, as amended in 2016, criminalized labor and sex trafficking. Article 324 prescribed penalties of three to seven years imprisonment, a fine, or both for adult trafficking, and five to 10 years imprisonment, a fine, or both for child trafficking. These penalties were sufficiently stringent. By allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 344 of the penal code separately criminalized forced begging and prescribed penalties of one to three years imprisonment and a fine; these penalties were not sufficiently stringent.

The government investigated 44 cases, prosecuted 18 suspects, and convicted 18 traffickers in four cases, a significant increase from five investigations, prosecuting four suspects, and convicting three traffickers the previous reporting period. OProGen had the lead for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. Among the 44 investigations, the general secretary's office identified at least seven transnational trafficking networks, and law enforcement launched 18 investigations into pandering, including child sex trafficking. In one case, a judge convicted six individuals—including an imam—for fraudulently recruiting at least 18 women for forced prostitution in Kuwait. A second judge convicted eight bar owners for pandering of minors. Sentences among the 18 convicted traffickers ranged from four months suspended to five years imprisonment; 17 traffickers received non-suspended sentences, and eight traffickers received sentences of at least two years imprisonment. The government did not report if it continued investigations from the previous reporting period into an alleged recruiter who sent women to Egypt for domestic servitude or three *marabouts* for alleged child forced begging. Authorities reported police frequently intercepted convoys of children allegedly destined for forced begging, and while they removed the children, they did not investigate the alleged traffickers. Corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—allegedly impeded anti-trafficking efforts. The government reported one investigation into three airport officials who were allegedly complicit in sending Guinean women to Kuwait for forced prostitution; the investigation was ongoing at the close of the reporting period.

The government did not report allocating any funding to OProGen to investigate trafficking cases and transport victims to NGOs for care, a significant decrease from the previous reporting period, when it had allocated 256 million Guinean francs ($28,430). Lack of general knowledge about trafficking and the trafficking provisions of the 2016 penal code persisted among government officials, especially judges and prosecutors in lower courts, but the government did not provide any training during the reporting period.

PROTECTION

The government decreased efforts to identify, but modestly increased efforts to protect, trafficking victims. The government identified 10 trafficking victims and intercepted 16 children en route to exploitation, compared to identifying 107 children en route to exploitation in the previous reporting period. The government also reported identifying an unknown number of children in domestic servitude, although it did not report removing any of those children from their situations of exploitation. The government did not have formal procedures to identify trafficking victims or refer them to care, so victim identification and protection measures remained extremely weak. No government center or shelter could assist victims, so the government continued to rely on NGOs and foreign donors to finance and provide the majority of victim care. In a positive change from the previous reporting period, the government disbursed 50 million Guinean francs ($5,550) to an NGO to provide shelter, food, medical assistance, and psychological support to at least 26 trafficking victims; this NGO operated three shelters that cared for vulnerable children, including trafficking victims. The shelters cared for both foreign and domestic victims, although they did not provide trafficking-specific services. Law enforcement referred child trafficking victims to NGOs on an ad hoc basis. Some OProGen officials brought victims to their private homes until space became available in NGO shelters. Government health facilities and social workers could at times provide medical and psycho-

social services. Officials acknowledged the lack of training for authorities on victim identification and referral affected victim care. With donor funding, the government provided shelter, food, psycho-social support, toiletries, and some money to vulnerable migrants returned from Libya, some of whom had been exploited in trafficking.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers; in some cases, law enforcement interrogated victims during investigations. Reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the judicial system. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims. Articles 392-396 of the child protection code provided child trafficking victims the right to legal representation and a ministry-appointed guardian, but due to the lack of financial and human resources, these services were not available during the reporting period. While victims could legally obtain restitution from the government and file civil suits against their traffickers, the government did not provide victims with sufficient knowledge of the process to enable them to do so. The government did not have formal policies to provide temporary or permanent residency to victims from countries where, if repatriated, they would face hardship or retribution, but it could provide work and residence permits to such victims on an ad hoc basis; the government did not report any victims requested these services during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of being subjected to trafficking; due to a lack of formal victim identification procedures, however, some trafficking victims may have remained unidentified in the law enforcement system.

PREVENTION

The government maintained efforts to prevent trafficking. CNLTPPA continued to meet sporadically, but not all members consistently attended meetings, and the committee lacked coordination and communication. For the second year, the government did not finalize a decree that would allocate an operational budget to CNLTPPA, so it lacked funding to perform many of its planned activities. Despite these shortcomings, CNLTPPA enacted an emergency action plan to provide shelter and services to 26 trafficking victims and conduct awareness-raising campaigns. In partnership with the Ministry of Social Action and NGOs, CNLTPPA organized three sensitization campaigns targeting local communities along Guinea's borders with Sierra Leone and Senegal, common routes for traffickers bringing children to Senegal for forced begging. The lack of local-level coordination on anti-trafficking efforts and the lack of training for officials outside the capital continued to hinder progress. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, but neither OProGen nor the Ministry of Labor had the resources or the trained personnel to implement such policies consistently. The government did not make discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided anti-trafficking training to Guinean troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

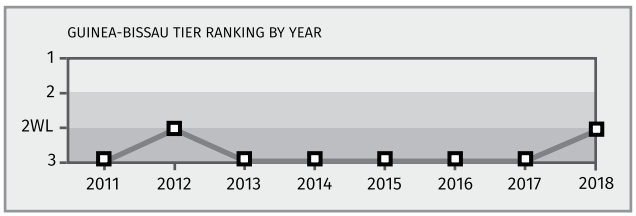
As reported over the past five years, Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking, sometimes in motels and restaurants in Conakry. Traffickers exploit boys in begging, street vending and shoe shining, forced labor in gold and diamond mines, and in herding, fishing, and agriculture, including farming and on coffee, cashew, and cocoa plantations. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Traffickers subject men, women, and children to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under the false pretenses of providing an education and exploit them in forced begging in Quranic schools in Senegal—via Koundara—Mauritania, and Guinea-Bissau, or forced labor in West African gold mines. Some corrupt *marabouts* force Bissau-Guinean boys to beg in Guinean Quranic schools. Guinean children are exploited in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where they are exploited in domestic service, street vending, and—to a lesser extent—sex trafficking.

Guinean women and girls are victims of domestic servitude and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean-Egyptian trafficking networks fraudulently recruit women for domestic work in Egypt and exploit them in prostitution. During the reporting period, several airline companies with service to North and East Africa and the Middle East began to serve Conakry; authorities identified an increased number of trafficking networks fraudulently recruiting Guinean, Liberian, and Sierra Leonean women for work abroad, using the Conakry airport to transport victims to exploitative situations in Kuwait and Qatar. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels while the men work in diamond mines. In previous years, authorities have identified Guinean forced labor victims in Finland, Guinean boys exploited in commercial sex in the Netherlands, and Thai and Chinese women in forced prostitution in Guinea. During the reporting period, an international organization repatriated more than 3,756 Guineans from Libya and northern Mali, and the organization estimated more than 560 were victims of trafficking. The lack of data on trafficking in Guinea renders it difficult to assess the size and scope of the problem.

GUINEA-BISSAU: TIER 2 WATCH LIST

The Government of Guinea-Bissau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Guinea-Bissau was upgraded to Tier 2 Watch List. These achievements included launching its first trafficking investigations since 2015, identifying its first trafficking victims in 10 years, and referring the identified victims to NGOs for care. The government also partnered with an NGO to raise awareness of child forced begging among border communities and child sex trafficking

in the tourism industry. Despite these achievements, however, a lack of dedicated resources and high-level engagement continued to stymie working-level anti-trafficking action. The government did not allocate a budget to the Judicial Police, which prevented it from investigating trafficking cases outside of Bissau, including reports of child sex tourism in the Bijagos. The inter-ministerial committee remained without sufficient funding to implement prevention activities, and credible reports of complicity in trafficking investigations continued to go uninvestigated. Guinea-Bissau has never prosecuted or convicted a trafficker.



RECOMMENDATIONS FOR GUINEA-BISSAU

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including *marabouts* who subject boys to forced begging and hotels that facilitate child sex tourism in the Bijagos; allocate an operating budget to the Judicial Police, and approve the opening of a second office in the Bijagos; develop and train law enforcement on formal written procedures to identify and refer trafficking victims to services; increase communication between law enforcement bodies, and train officials on the 2011 anti-trafficking law and how to refer trafficking cases to the Judicial Police; increase funding for NGOs to ensure all identified victims—especially child forced beggars—are repatriated and receive services, minimizing the potential for re-trafficking; increase efforts to coordinate repatriations of trafficking victims with the Government of Senegal; develop an effective national anti-trafficking program through regular meetings of the anti-trafficking committee and allocation of funding for its activities; significantly increase efforts to raise awareness of human trafficking, especially forced begging and child sex trafficking; hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged trafficking offenses and efforts to interfere with ongoing investigations; and, in collaboration with NGOs, allocate adequate space and facilities for a victim shelter in Bissau.

PROSECUTION

The government increased law enforcement efforts. Public Law 12/2011 criminalized sex and labor trafficking and prescribed penalties of three to 15 years imprisonment and the confiscation of any proceeds from the crime. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 22 cases of child trafficking but did not prosecute or convict any suspects for trafficking offenses, an increase from no investigations, prosecutions, or convictions the previous reporting period. Of the 22 cases, 20 cases involved child domestic servitude and two involved transporting children to Senegal for forced begging. Notably, in one case the National Guard arrested two *marabouts* for transporting children to Senegal, allegedly for exploitation in forced begging. Law enforcement sent all investigations to the judiciary for prosecution at the end of the reporting period; however, victims often dropped their cases because they did not want to pursue charges against their traffickers, who were often family members. The government has never prosecuted or convicted a trafficker. The government did not investigate, prosecute, or convict any government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained concerns, inhibiting law enforcement action during the reporting period. Observers reported some police and border guards might have accepted bribes from traffickers, and officials have reportedly closed investigations into child sex tourism.

The government did not provide specialized training to law enforcement on investigating and prosecuting trafficking crimes, and some law enforcement and judicial officials remained unaware of the 2011 anti-trafficking law. The Judicial Police provided general child protection training to new members of its Women and Children Brigade, a 10-person unit charged with investigating crimes against women and children, including trafficking. The unit possessed only one vehicle and did not receive an operating budget, largely limiting its efforts to Bissau. The Judicial Police continued efforts to open a second office in the Bijagos and awaited a decision from the Ministry of Justice at the close of the reporting period. The National Guard and local police in rural areas had neither the training nor the capacity to investigate trafficking crimes and did not always refer such cases to the Judicial Police, which impeded investigations into child forced begging in eastern regions and child sex trafficking in the Bijagos. In addition, police and judges preferred to resolve intra-familial labor and abuse cases—which could include forced child labor and child sex trafficking by family members—through non-judicial means. When parents broke such agreements and police transferred the cases to court, officials noted community leaders often pressured courts to drop the cases.

PROTECTION

The government increased efforts to identify and protect victims. The government identified 22 trafficking victims and 53 potential victims in 2017 and referred all victims for care, compared with not identifying any trafficking victims the previous reporting period. The National Guard took an increasingly active role intercepting Bissau-Guinean children destined for forced labor and forced begging in Senegal; it intercepted 53 such children, and referred them to an NGO for care. The Judicial Police identified 22 child trafficking victims and referred all to NGOs for services; the Judicial Police then reunited the children with their families. In cases when an NGO could not respond immediately, police officers used personal funds to house and feed victims. The government relied on NGOs to provide nearly all victim services. NGOs assisted both domestic and foreign victims. The government did not have formal procedures to identify trafficking victims or refer them to care. The government contributed 5 million West African CFA francs (FCFA) ($8,890) annually to an NGO that cared for at least 156 additional child forced begging victims returned from Senegal during the reporting period. The NGO's two facilities were severely overcrowded and underfunded; some shelter volunteers used their own homes to house victims temporarily. Shelter was only available for child victims, and there were no trafficking-specific services. While NGOs led victim protection efforts, police accompanied NGOs on family reintegration missions. While all trafficking victims returned from Senegal received some care, NGOs in Bissau reported that both law enforcement officials and NGO staff sometimes left forced begging victims identified in Guinea-Bissau with their exploiters because there were no shelters available. The government did not have formal policies to encourage victims to participate in

investigations or prosecutions against their traffickers. Victims could not obtain restitution from the government or file civil suits against their traffickers. There were no legal alternatives to removal to countries in which victims would face hardship or retribution. There were no reports the government detained, fined, or otherwise penalized trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; due to the absence of written procedures to identify trafficking victims, however, it was possible some were inadvertently penalized.

PREVENTION

The government increased efforts to prevent trafficking. The inter-ministerial committee—which was headed by the Institute of Women and Children (IMC) and included government agencies, NGOs, and religious groups—met semi-regularly during the reporting period but lacked funding for anti-trafficking activities, which weakened its response to trafficking and development of an effective national anti-trafficking program. The government had a 2015-2018 national action plan to address trafficking but did not have resources to implement it during the reporting period. Individual ministries worked with NGOs and civil society groups to raise awareness of trafficking among ministry officials, regional governors, and religious leaders, and to strengthen partnerships on anti-trafficking efforts across the region. In a new effort to educate the public on trafficking, the National Guard and an international organization traveled to 75 villages in source regions for children exploited in forced begging to raise awareness of trafficking and how to report suspected cases to police. IMC and the Ministry of Tourism began implementing a code of conduct against sexual exploitation in the tourism sector by increasing public awareness of child sexual exploitation in Bissau and the Bijagos, encouraging hotels to combat these crimes, and building the capacity of tourism inspectors. Through a plan drafted the previous reporting period, IMC, the Ministry of Justice, and an NGO provided birth registration to 190 child forced begging victims returned from Senegal and their siblings. The labor inspectorate, housed within the Ministry of Labor, Civil Service and Public Administration, did not receive regular funding from the government and lacked resources to investigate violations nationwide. In addition, the government did not have the means to inspect local Quranic schools to ensure they did not force children to beg. The Judicial Police operated a hotline to report crimes, although it was not free and did not report receiving any trafficking cases during the reporting period. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

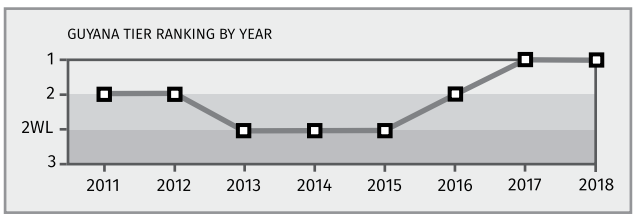
TRAFFICKING PROFILE

As reported over the past five years, Guinea-Bissau is a source country for children subjected to forced labor and sex trafficking and a destination for West African boys exploited in forced labor, including forced begging. The extent to which adults are subjected to forced labor or forced prostitution is unclear. Many Bissau-Guinean boys attend Quranic schools led by *marabouts*. Some corrupt *marabouts* force their students, called *talibes*, to beg and do not provide an education, including at some schools in Bissau's Afia neighborhood. The traffickers are principally men from the Bafata and Gabu regions—often former *talibes* or men who claim to be working for a *marabout*—and are generally well known within the communities in which they operate. *Marabouts* increasingly force Guinean, Gambian, and Sierra Leonean boys to beg in Bissau and exploit Guinea-Bissau's weak institutions and porous borders to transport large numbers of Bissau-Guinean boys to Senegal—and to a lesser extent Mali, Guinea, and The Gambia—for forced begging in Quranic schools.

Bissau-Guinean boys are forced into street vending and forced labor in the agricultural and mining sectors in Senegal, especially in the southern cities of Kolda and Ziguinchor. West African boys are forced to harvest cashews during Guinea-Bissau's annual harvest, and some are recruited for work in the harvest but instead are forced to beg. Some Guinean boys are victims of forced labor in shoe shining in Guinea Bissau. Bissau-Guinean girls are victims of sex trafficking and forced labor in street vending and domestic work in Guinea, The Gambia, and Senegal. Senegalese trafficking networks recruit Bissau-Guinean girls for modeling jobs or traveling football clubs but subject them to sex trafficking. Bissau-Guinean girls are exploited in domestic servitude and in sex trafficking in bars, nightclubs, and hotels in Bissau. Bissau-Guinean girls from the Bijagos—and to a lesser extent mainland girls and boys—are exploited in child sex tourism in the Bijagos, an archipelago off the coast of Guinea-Bissau that is far from the mainland and largely devoid of government and law enforcement presence. Although the extent of the problem is unknown, it is widely acknowledged among civil society, NGOs, and mid-level government officials. In most cases, French nationals own hotels on the islands and use Bissau-Guinean intermediaries to exploit island girls aged 13-17-years-old for French and Belgian child sex tourists. International sources report these same hotel owners provide jobs and significant support to the island community, wielding influence that can deter victims from notifying law enforcement. Poor families may encourage their children to endure such exploitation for financial gain. Bissau-Guinean men from the mainland fuel local demand for commercial sex on the islands. There were reports of official complicity in human trafficking among island officials and in the judiciary. Guinea-Bissau's judicial system lacked sufficient human and physical capital to function properly, and corruption remained pervasive.

GUYANA: TIER 1

The Government of Guyana fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Guyana remained on Tier 1. The government demonstrated serious and sustained efforts by increasing funding for victim assistance, identifying and assisting more victims for the third consecutive year, and opening and operating a trafficking shelter outside of the capital area. Although the government meets the minimum standards, it did not provide adequate protection and shelter outside the capital, or for child and male victims. The number of trafficking investigations and new prosecutions decreased, and the number of successful convictions remained low.



RECOMMENDATIONS FOR GUYANA

Fund specialized victim services outside the capital and for child victims and adult male victims; vigorously investigate and prosecute sex and labor trafficking cases and hold convicted traffickers, including complicit public officials, accountable by imposing strong sentences; finalize the written identification procedures to better guide law enforcement officials; train more law enforcement, judiciary officials, and front-line responders—especially those working outside the capital—on victim identification and referral procedures; develop standard procedures for protecting foreign victims; provide additional protection for victims to testify against traffickers in a way that minimizes re-traumatization; monitor the number of cases reported to the trafficking hotline or by labor inspectors to promote a rapid investigative and victim assistance response; and provide training for diplomatic personnel on trafficking.

PROSECUTION

The government maintained law enforcement efforts. The Combating Trafficking of Persons Act of 2005 criminalized sex and labor trafficking and prescribed sufficiently stringent penalties ranging from three years to life imprisonment. These penalties, with respect to sex trafficking, were commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include the illegal sale of organs without the use of force, fraud, or coercion. The Ministry of Social Protection (MoSP) was the lead agency responsible for coordinating trafficking efforts, overseeing the Anti-Trafficking Unit (ATU) and participating on the government's inter-ministerial task force. The task force, which included representatives from several agencies and an anti-trafficking NGO, coordinated a number of successful police operations. In 2017, the government reported four new trafficking investigations (two for sex trafficking and two for labor trafficking), 17 prosecutions (12 of which were initiated in previous reporting periods), and two convictions; compared to 19 investigations, 19 prosecutions, and two convictions in 2016. The court sentenced both convicted traffickers to three years imprisonment and required one trafficker to pay restitution to one victim. A case from the previous reporting period in which the government required the trafficker only to pay restitution, a penalty inconsistent with the law and one that the task force appealed, remained pending. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. Authorities confirmed the police officer who was convicted of sex trafficking in 2015 was terminated from his position in the police force; however, his appeal was still pending at the end of the reporting period. The government did not provide any support for trainings hosted by an international organization on combating complicity. The government-funded and executed training for police prosecutors, law enforcement officials, and social workers on victim-centered investigations and prosecution of trafficking cases.

PROTECTION

The government increased efforts to identify and protect trafficking victims. However, victim assistance remained insufficient, especially in areas outside the capital and for child and male victims. The task force and ATU drafted standard operating procedures (SOPs) for victim identification, referral, and assistance, but the SOPs were not formalized by the end of the reporting period as the government stated it planned to do so by the end of 2018. The government identified 131 victims in 2017 (65 for sex trafficking, 35 for labor trafficking, and 31 for both forms), compared with 98 in 2016. The government referred 115 victims to shelter and psycho-social services, compared with 40 in 2016. The government trained 156 village leaders and 96 government officials from the interior regions on victim identification and assistance. The government also trained members of the business community and civil society on victim identification.

The government provided 10 million Guyanese dollar (GYD) ($46,510) to the NGO-run shelter for the provision of enhanced psycho-social services to adult female trafficking victims referred by the government. The government provided 31.2 million GYD ($145,120) to another NGO that provided housing and counseling services to victims of gender-based violence, including an unknown number of trafficking victims. The government opened and operated the first shelter outside of the capital; the new shelter caters exclusively to adult female victims of trafficking. All identified victims received shelter, food, training, and psychological therapy. There were no adequate public or private shelters for male or child trafficking victims, despite the government's commitment, made in early 2016, to open and partially fund a shelter for male victims. Child victims were placed into foster care, safe homes, or were reintegrated with their families while adult male victims were placed at non-specialized night shelters on an ad hoc basis.

Guyanese law protects victims' identities from release to the media. Victims could leave shelters; however, they were strongly encouraged to stay unless with a chaperone or until trials concluded. NGOs and MoSP provided protection and counseling for all identified victims, while the government provided transportation for victims who declined shelter but were willing to attend court proceedings. The government did not penalize victims for crimes committed as a result of being subjected to trafficking. The government reported multiple cases of delivering foreign victims to their respective embassies at the request of the foreign missions before the conclusion of prosecutions. The government granted one victim temporary residence and legal employment in Guyana. The government, with the assistance of an international organization, repatriated 21 suspected trafficking victims. The government did not report whether it facilitated or funded the repatriation of Guyanese nationals victimized abroad; however, it offered shelter, medical care, and psycho-social assistance to victims upon their return.

PREVENTION

The government increased efforts to prevent trafficking. The task force met monthly, continued implementing the 2017-2018 anti-trafficking national plan of action, and MoSP committed approximately 23.4 million GYD ($108,840) to anti-trafficking efforts over the reporting period. In June, the task force trained 23 journalists on responsible reporting of trafficking cases. As in past years, the government systematically monitored its efforts and published its assessment. The government conducted a variety of awareness-raising activities, including producing pamphlets in English, Portuguese, and Spanish, television ads, and flash mobs. Authorities facilitated several awareness sessions focused on the mining and logging sectors outside the capital. The ATU executed numerous sensitization campaigns at schools, NGOs, prisons, and public spaces across Guyana. The government operated a trafficking hotline but did not report how many calls it received. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Authorities conducted approximately 1,000 unannounced labor inspections in the capital and the interior. The government granted temporary amnesty to foreign laborers in order for

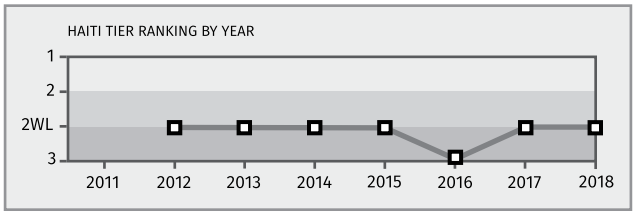
them to regularize their immigration status in Guyana. Labor inspectors received trafficking-specific training, but did not report whether they identified any cases. The government did not provide anti-trafficking training for its diplomatic personnel, but with in-kind assistance from international organizations, the task force began drafting a training module.

TRAFFICKING PROFILE

As reported over the last five years, Guyana is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and children from Guyana, Brazil, the Dominican Republic, Suriname, Haiti, and Venezuela are subjected to sex trafficking in mining communities in the interior and urban areas. Victims are subjected to forced labor in the mining, agriculture, and forestry sectors, as well as in domestic service and shops. While both sex trafficking and forced labor occur in interior mining communities, limited government presence in the country's interior renders the full extent of trafficking unknown. Children are particularly vulnerable to sex and labor trafficking. Guyanese nationals are subjected to sex and labor trafficking in Jamaica, Suriname, and other Caribbean countries.

HAITI: TIER 2 WATCH LIST

The Government of Haiti does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by closing several abusive orphanages and reconstituting its foster care system to support child trafficking victims and reduce vulnerability to abuse. The government also took action against some complicit officials; mandated victim restitution for a trafficking conviction; increased the number of trained police; deployed its first class of border police trained to detect and combat trafficking; and increased coordination and oversight of its anti-trafficking efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not criminally prosecute complicit officials and did not investigate many accusations of official complicity, including of the chief prosecutor. The government did not allocate funding for its anti-trafficking efforts or victim services and did not approve or implement its national action plan or its standard operating procedures for victim identification. The government's weak judicial system and lack of awareness about trafficking among police, prosecutors, and judges hindered prosecution and conviction of traffickers. The government did little to combat child domestic servitude (*restavek*). Therefore Haiti remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR HAITI

Vigorously investigate, prosecute, and convict traffickers, including complicit officials and those responsible for domestic servitude and child sex trafficking; prioritize the implementation of a national anti-trafficking action plan with allocated resources, and increase long-term funding for trafficking victim assistance; continue to develop and build Haiti's nascent foster care system and other residential care services for children; train police, prosecutors, judges, and victim service providers in all areas of Haiti on trafficking; approve and implement formal procedures to guide officials in proactive victim identification and referral to appropriate shelters and services; develop the resources and capacity to inspect worksites for indicators of forced labor; develop laws or policies to regulate foreign labor recruiters; implement measures to address the vulnerabilities leading to *restavek*, including protecting child victims of neglect, abuse, and violence; draft and enact a child protection law with specific protections for child trafficking victims; develop a method to systematically track trafficking data and the government's anti-trafficking efforts; develop efforts to reduce demand for commercial sex or forced labor; and educate the Haitian public about children's rights to education and freedom from slavery to counteract tolerance of *restavek*.

PROSECUTION

The government maintained law enforcement efforts. The 2014 anti-trafficking law (No. CL/20140010) criminalized sex and labor trafficking and prescribed penalties of seven to 15 years imprisonment and a fine ranging from 200,000 to 1.5 million gourdes ($3,180 to $23,830), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law provided for increased penalties of up to life imprisonment when the victim was a child. During the reporting period, the government investigated two potential trafficking cases involving six individuals (six cases in 2016), including one national police officer; initiated two new prosecutions (three in 2016) involving two defendants; and obtained one trafficking conviction (three in 2016). Sentencing involved seven years imprisonment and a fine of 200,000 gourdes ($3,180); the trafficker was also ordered to pay 100,000 gourdes ($1,590) to the victim. The government cooperated with U.S. law enforcement on an investigation that led to the 2018 conviction of a U.S. citizen for child sex tourism. Observers noted traffickers largely operated with impunity. In November 2017, the minister of justice fired five assistant prosecutors for their role in releasing nine individuals arrested on suspicion of trafficking during a sting operation in February 2017; however, the fired prosecutors were not charged with a crime and the chief prosecutor, who some officials and observers said was behind the release due to bribery, was not investigated.

Haiti's weak judicial system and lack of awareness about trafficking among police, prosecutors, and judges hindered prosecution and conviction of traffickers. Civil society and authorities remained concerned that some government officials in remote areas lacked training on the 2014 anti-trafficking law and its implementation, leading to lesser charges and informal arrangements to resolve cases. The government provided 1,022 members of the Haitian national police with three hours of human trafficking and smuggling training. The government continued to work with an NGO on a foreign-funded project to train legal actors throughout Haiti on the 2014 anti-trafficking law and its proper implementation. In January 2018, the national police deployed PoliFront, their first class of 100 border police officers, to Ouanaminthe, Haiti's busiest border crossing, with a mandate to fight various forms of transnational crime including trafficking. Before deployment, PoliFront received six weeks of training, which included a session on human trafficking.

PROTECTION

The government increased protection efforts. The government did not systematically track data regarding victim identification; however, reported cases suggest the government identified at least 31 potential trafficking victims, compared with 43 victims in 2016. In 2017, government officials closed four abusive orphanages that housed 116 children and potentially involved trafficking and placed 51 children from those orphanages into foster care; the remainder were returned to their families. The government accredited 76 families for its newly developed foster care program to make children less vulnerable to trafficking or being re-victimized. The government made no discernable effort to address *restavek* despite it being a widespread issue across the country.

The 2014 anti-trafficking law tasked the trafficking commission to develop standard operating procedures to guide officials in the identification and rehabilitation of trafficking victims; the government did not approve a 2016 draft of these procedures. The law required the government to provide protection, medical, and psycho-social services to victims, and to create a government-regulated fund to assist victims. However, as in 2016, the government did not dedicate funding for victim assistance and relied on international organizations and NGOs to provide care. Haiti's 2014 anti-trafficking law stipulated that money and other assets seized during trafficking investigations should be used to fund services for trafficking victims and the functioning of the trafficking in persons commission; however, there was no evidence this occurred. Government officials referred child trafficking victims to its social welfare agency, which did not have adequate funding for their care. The agency then referred child victims to government-registered residential care centers that, due to a lack of resources, could provide only short-term medical and counseling services, family tracing, pre-return assessments, and limited support for the families receiving these victims. The government did not have a formal program to assist victims who returned to Haiti, but did refer victims to international and non-governmental organizations.

Authorities worked closely with the U.S. Coast Guard to receive Haitian migrants who attempted to reach The Bahamas or the United States; Haitian authorities screened unaccompanied children for trafficking indicators and facilitated their re-integration with family members. The government, in partnership with a foreign government and an international organization, opened border resource centers (CRFs) at each of the four major border crossings, which housed representatives from the social welfare agency, child protective services, and NGOs. These centers identified and provided services to trafficking victims at the border regions.

The anti-trafficking law included provisions for temporary residency during legal proceedings for foreign victims of trafficking, as well as access to legal counsel, interpretation services, and permanent residency; however, the government did not provide these services and would be unlikely to have the financial resources to implement them. To assist in a prosecution, victims must testify against their accuser in the presence of their accuser; there were no facilities for video deposition or child-friendly facilities during legal proceedings. The law protected victims from liability for crimes committed as a result of being subjected to human trafficking. There was no legal provision for civil restitution for trafficking victims, but a judge could mandate civil restitution for related crimes under Haiti's civil code.

PREVENTION

The government increased efforts to prevent trafficking. The government did not commit resources for its trafficking commission, compared with 10 million gourdes ($158,860) in 2017. A lack of resources continued to hamper efforts to fight trafficking, but government coordination among donors and among ministries improved during the reporting period. In June 2017, the trafficking commission, with funding from an external donor, held a public conference with relevant government agencies and NGOs to highlight the problem of trafficking in the country and completed its draft 2017-2022 national action plan. A final draft was presented to the Minister of Social Affairs and Labor but was not approved before the end of the reporting period. There had been no resources allocated to implement this plan. The government improved oversight and coordination between the Ministry of Social Affairs and Labor and the trafficking commission; however, frequent changes in ministry leadership led to continued bureaucratic challenges in combating trafficking. The appointment of a new minister of social affairs in September 2017, however, led to better institutionalization and meeting structure of the trafficking committee within the ministry, which replaced inactive members. The government did not systematically monitor its anti-trafficking efforts. The commission, however, worked with EU technical experts to develop a draft report that described trafficking issues in Haiti; the report awaited approval from the minister before being released.

There were no government efforts to educate the public about children's rights to education and freedom from slavery to counteract tolerance of *restavek*. The CRFs had educational posters and brochures about trafficking at key border control points; however, the lack of controls at the 96 unofficial border crossing points further enabled trafficking. Authorities stated they did not have the human capacity to control illegal crossings in these areas. The government managed a 24-hour national anti-trafficking hotline, capable of receiving calls in French and Haitian Creole; there was no data available on its effectiveness.

Since the Government of the Dominican Republic's June 2015 deadline for registration of migrant workers in that country, the Haitian government coordinated efforts with international organizations and NGOs to receive Haitian expellees and provide documentation for Haitian citizens. However, the continued dysfunction of the Haitian civil registry system and weak consular capacity to provide identification documentation left many Haitians at risk of remaining undocumented in the Dominican Republic and subject to deportation—recognized risk factors for vulnerability to trafficking. First Lady Martine Moise led a public marketing campaign to provide infants born in Haiti with birth certificates. The social welfare agency instituted more stringent requirements for parents seeking authorization for unaccompanied travel by children to South American countries. Haiti did not have effective laws or policies to regulate foreign labor recruiters or prevent fraudulent recruiting. The Ministry of Social Affairs and Labor lacked staff and resources to inspect worksites for indicators of forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce demand for commercial sex or forced labor.

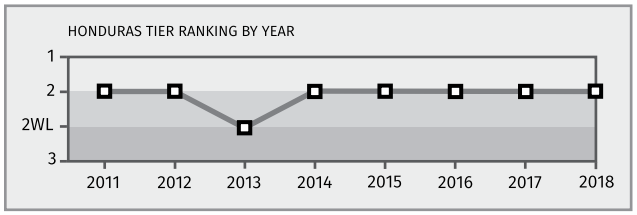
TRAFFICKING PROFILE

As reported over the past five years, Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most of Haiti's trafficking cases involve children in domestic servitude (*restavek*) who

often are physically abused, receive no payment for services rendered, and have significantly lower school enrollment rates. A December 2015 joint government and international organization report on *restavek* found one in four children do not live with their biological parents and estimated 286,000 children under age 15 work in domestic servitude. The report recommended the government put measures in place to prevent exploitation, including domestic servitude; protect at-risk children and victims of neglect, abuse, violence, or exploitation, including sex trafficking and forced labor; and draft and enact a child protection law. A May 2015 UN report documented members of its peacekeeping mission in Haiti sexually exploited more than 225 Haitian women in exchange for food, medication, and household items between 2008 and 2014. A significant number of children flee employers' homes or abusive families and become street children. Female foreign nationals, particularly citizens of the Dominican Republic and Venezuela, are particularly vulnerable to sex trafficking and forced labor in Haiti. Other vulnerable populations include children in private and NGO-sponsored residential care centers; Haitian children working in construction, agriculture, fisheries, domestic work, and street vending in Haiti and the Dominican Republic; internally displaced persons including those displaced by Hurricane Matthew and the 2010 earthquake; members of female-headed, single-parent families, and families with many children; Haitians living near the border with the Dominican Republic; Haitian migrants, including those returning from the Dominican Republic, Brazil, Mexico, the United States, or The Bahamas; and LGBTI youth often left homeless and stigmatized by their families and society. Haitian adults and children are vulnerable to fraudulent labor recruitment and are subject to forced labor, primarily in the Dominican Republic, other Caribbean countries, South America, and the United States.

HONDURAS: TIER 2

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Honduras remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more traffickers, including allegedly complicit officials, and convicting more traffickers; identifying, referring, and assisting more sex trafficking victims; and approving an increased budget for the Inter-institutional Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons (CICESCT). However, the government did not meet the minimum standards in several key areas. The government did not obtain convictions of complicit officials or child sex tourists. The government provided limited services to adult victims, and services for victims identified outside the capital were even more limited. Despite continued reports of criminal organizations, including gangs, exploiting children in forced criminality, the government initiated only two such prosecutions.



RECOMMENDATIONS FOR HONDURAS

Strengthen efforts to prosecute and convict public officials for complicity in trafficking offenses; increase efforts to prosecute trafficking offenses and to convict and sentence traffickers, particularly for crimes involving forced labor and forced criminal activity of children; increase the identification and assistance of adult victims, forced labor victims, and children forced to commit crimes, including among repatriated Hondurans and other particularly vulnerable populations; strengthen existing or develop and implement new victim referral mechanisms and provide specialized services and shelter to all victims, including through increased government funding to civil society organizations; amend the anti-trafficking law to include a definition of human trafficking consistent with international law; implement the national action plan for 2016-2022; enforce laws punishing brokers for illegal practices that facilitate trafficking, such as fraudulent offers of employment or illegal fees for migration or job placement; and continue training and properly resourcing dedicated anti-trafficking police and prosecutorial units, as well as staff on the "immediate response" team.

PROSECUTION

The government increased law enforcement efforts. The 2012 Honduran anti-trafficking law criminalized sex and labor trafficking and prescribed penalties ranging from 10 to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include exploitative labor conditions and illegal adoption without the purpose of exploitation. The CICESCT, with funding and assistance from a foreign government, evaluated the 2012 law and issued a number of recommendations, including amending the law to include the means as essential elements of the crime; improving victim assistance by compensating victims; and providing additional financial, logistical, and technical resources for service provision; but these amendments have not yet passed into law.

The government reported investigating 121 cases of suspected trafficking in 2017, compared to at least 41 cases in 2016. Authorities initiated prosecutions of 84 suspects—82 for sex trafficking and two for forced labor—in 50 cases, compared to 41 suspects in 11 cases for sex trafficking in 2016. The government convicted eight traffickers in seven sex trafficking cases in 2017, compared to nine traffickers in eight cases in 2016. In 2017, convicted offenders were fined and received sentences ranging from two years house arrest to 15 years imprisonment, compared to six to 15 years imprisonment in 2016. Civil society organizations reported concerns that traffickers were often prosecuted for lesser crimes with lower penalties, such as pimping. Widespread impunity for all crimes, including trafficking in persons and corruption, remained a challenge. The government investigated and prosecuted several current and a former government officials accused of sex trafficking in 2017. Prosecutors reported security officials have been involved in child sex trafficking. A lack of adequate resources limited the effectiveness of investigators and prosecutors. Authorities cooperated on trafficking investigations with officials from Belize to identify a sex trafficking network between the two countries and initiate prosecutions of four traffickers. The government held numerous training programs for police, investigators, prosecutors, judges, and other officials.

PROTECTION

The government maintained efforts to identify, refer, and assist sex trafficking victims; however, authorities remained largely dependent on NGOs to fund and provide services. The CICESCT's "immediate response team" used protocols for identifying and referring sex trafficking victims, but Honduran authorities lacked systematic procedures to identify forced labor victims. The immediate response team, which included a full-time lawyer, psychologist, and social worker, worked with government ministries and civil society organizations to coordinate services for victims, including food, shelter, and health screenings, as well as referrals to longer-term support services, such as psychological, legal, and social services. The team operated a 24-hour trafficking-specific hotline, which received 45 calls in 2017 compared to more than 60 calls in 2016. The government identified 150 victims in 2017 (84 sex trafficking and 66 labor trafficking; 97 adults and 53 children), compared to 111 victims in 2016. It also provided immediate support to the 150 identified victims (all Honduran except one foreign national). The government also assisted 120 victims identified in previous years. The foreign ministry assisted and helped repatriate six Honduran nationals through its diplomatic missions in Argentina, France, Guatemala, and Mexico. Of the 150 victims identified within the country, 145 were reunited with their families and received limited long-term support and five remained housed in shelters. There were limited services available for adult victims, and services for both adults and children outside the capital were even more limited.

The government provided the CICESCT with a budget of 2.3 million lempiras ($96,550) for 2017, and other government agencies also provided funds from their budgets for victim assistance. International donors and NGOs continued to fund and provide services for victims. The government contracted with shelters with specialized sex trafficking expertise to provide services to identified victims. In 2017, CICESCT provided funding to a shelter for adults, with specialized training for supporting trafficking victims. Adult victims were typically placed in shelters for victims of various forms of abuse. There were increased, but still limited, long-term support and reintegration services for victims, including legal, psychological, and social support. Many victims remained vulnerable to re-trafficking. Authorities made efforts to screen for indicators of trafficking among the large numbers of Hondurans returned from abroad, including unaccompanied migrant children. The lack of adequate victim and witness protection programs, exacerbated by a slow trial process and the fear of retaliation by traffickers, led some victims—particularly adults or those exploited by criminal groups—to decline to cooperate with law enforcement. Officials acknowledged many children forced to engage in illegal activities by criminal groups were not properly identified, and thus may have been treated as criminals instead of victims. The government enabled victims to provide testimony via pre-recorded interviews in Gesell chambers and increased the number of such chambers from eight to 10 in 2017. Honduran law allowed foreign victims to receive temporary or permanent residency status, including authorization to work; the government did not report any victims received such benefits in 2017.

PREVENTION

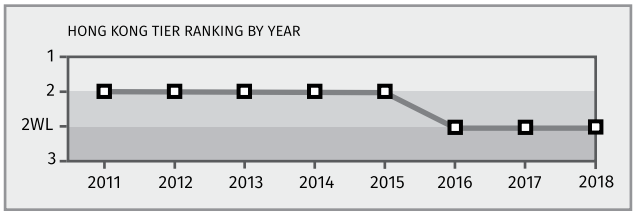
The government maintained its prevention efforts. The CICESCT promoted, monitored, and evaluated the government's anti-trafficking efforts, producing an annual report documenting these efforts. The CICESCT consisted of 31 governmental and non-governmental entities, which met monthly in 2017. The CICESCT established two new local interagency anti-trafficking committees for a total of 21 such committees with which it coordinated. The government began to implement the 2016-2022 national anti-trafficking action plan. With government and donor funding, authorities organized and participated in activities to raise awareness among vulnerable populations, including through television, radio, and printed materials. Various government agencies financed or participated in the provision of training to a wide range of participants, including psychologists, social workers, doctors, nurses, teachers, lawyers and reporters. Members of local interagency committees provided training to NGOs and local government officials on trafficking indicators. The government worked with other governments in the region to strengthen collaboration and establish repatriation protocols. In 2017, the Ministry of Labor issued new guidelines to enforce the 2015 decree requiring job placement companies to charge fees to employers and not employees, certified four companies' operating licenses, and cited two companies for not complying with the decree. Authorities conducted campaigns to raise awareness of child sex tourism among members of the tourism sector and local officials, but did not report convicting any individuals for purchasing sex acts from trafficking victims for the second consecutive year. The government registered 230 new companies in 2017 in its national tourism registry and added these same companies as signatories of a code of conduct to reduce trafficking and sanction businesses that facilitate exploitation. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor; to a much lesser extent, it is a destination for women and girls from neighboring countries subjected to sex trafficking. Honduran women and children are exploited in sex trafficking within the country and in other countries in the region, particularly Mexico, Guatemala, El Salvador, Belize, and the United States. LGBTI Hondurans are particularly vulnerable to sex trafficking. Honduran men, women, and children are subjected to forced labor in street vending, domestic service, and the informal sector in their own country, and forced labor in other countries, particularly Guatemala, Mexico, and the United States. Children from indigenous and Afro-descendant communities, particularly Miskito boys, are vulnerable to forced labor, including on fishing vessels; children living on the streets are vulnerable to sex and labor trafficking. Criminal organizations, including gangs, exploit girls for sex trafficking, force children into street begging, and coerce and threaten young males to transport drugs, commit extortion, or commit acts of violence, including murder; this occurs primarily in urban areas, but one NGO reported an increase in gang activity in rural areas. During the year, there were continued reports of children subjected to sex trafficking on the streets of large cities, particularly San Pedro Sula, under the guise of street begging or vending. Honduras is a destination for child sex tourists from Canada and the United States. Latin American migrants transit Honduras en route to northern Central America and North America, where some are exploited for sex trafficking and forced labor. Authorities noted family members took children into prisons to be exploited in commercial sex by prisoners, raising concerns over the potential complicity of prison authorities. Overall corruption helped facilitate trafficking crimes.

HONG KONG: TIER 2 WATCH LIST

The Government of Hong Kong does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by releasing an action plan to combat trafficking and enhance protections for foreign domestic workers; establishing a central steering committee to coordinate anti-trafficking efforts; passing legislation that strengthened the penalties against employment agencies that violate certain labor provisions; increasing the number of investigations for sex trafficking related offenses; and training a large number of front-line officers on victim identification and investigative methods. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government reported fewer convictions for sex trafficking related offenses and issued sentences that were insufficiently stringent for the seriousness of the crime. Some law enforcement officers did not properly investigate incidents with clear trafficking indicators reported to them by NGOs. Despite maintaining a victim identification mechanism, officials did not consistently identify victims, and the government did not consistently conduct screenings during investigations and police operations. Of the several thousand individuals it screened through the identification mechanism, the government only identified nine trafficking victims. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Hong Kong was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Hong Kong remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR HONG KONG

Enact a comprehensive anti-trafficking law that criminalizes all forms of trafficking, including sex trafficking and forced labor without trans-border movement, in accordance with the definitions set forth in the 2000 UN TIP Protocol; increase efforts to proactively identify sex and labor trafficking victims among vulnerable populations—such as mainland Chinese and foreign migrants, domestic workers, and women and children in prostitution—and refer them to protection services; vigorously prosecute suspected labor traffickers and recruiters, especially those who exploit foreign domestic workers; cease penalization of victims for non-violent crimes committed as a result of being subjected to trafficking; increase legal protections for populations vulnerable to trafficking; enforce new penalties to penalize employment agencies that charge excessive fees to vulnerable populations, particularly foreign domestic workers; increase protective services available specifically for trafficking victims; increase efforts to consult with civil society on anti-trafficking policies; fully implement the action plan to combat trafficking and enhance protections for foreign domestic workers; make labor tribunals more effective through improved translation services, better access to counsel, and anti-trafficking training for judges; grant foreign victims permission to work and study while participating in judicial proceedings against their traffickers; remove requirements that foreign domestic workers must depart Hong Kong within two weeks of quitting or being let go from their positions to renew their visas; provide legal alternatives to foreign victims who may face hardship or retribution in their home countries as a result of their victimization; and increase public awareness campaigns and trainings to educate police, labor inspectors, prosecutors, judges, and the public on human trafficking as defined by international standards.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Hong Kong law did not criminalize all forms of human trafficking and the government relied on various provisions of laws relating to prostitution, immigration, employment, and physical abuse to prosecute trafficking crimes. Section 129 of the crimes ordinance, which criminalized "trafficking in persons to or from Hong Kong," required transnational movement and did not require the use of force, fraud, or coercion, and was therefore inconsistent with international law. Section 129 prescribed penalties of up to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. Section 130 of the crimes ordinance criminalized the harboring, controlling, or directing of a person for the purpose of prostitution and prescribed penalties of up to 14 years imprisonment. Section 131 criminalized procuring a person to engage in commercial sex acts and prescribed penalties of up to 10 years imprisonment.

The absence of laws that fully criminalize trafficking made it difficult to accurately assess the government's prosecution efforts compared to the previous year and made it difficult to determine which law enforcement actions involved human trafficking as defined by international law. The government reported investigating nine potential cases of labor trafficking and 37 potential cases of sex trafficking in 2017 (19 potential sex trafficking investigations in 2016). Authorities initiated the prosecutions of and convicted two potential labor traffickers, including an employer of a foreign domestic worker and the owner of an employment agency, for conspiracy to defraud the immigration department. The government sentenced both offenders to six months imprisonment, one with a suspended sentence. The government did not report the number of sex trafficking prosecutions initiated in 2017, but reported completing 14 prosecutions and obtaining 12 convictions for offenses related to sex trafficking (28 convictions in 2016), including sections 129, 130, and 131 of the crimes ordinance. Courts sentenced 10 offenders to terms of imprisonment ranging from one to nine months imprisonment and one to a suspended sentence; one offender was sentenced to a hospital order.

Police sometimes did not adequately investigate trafficking cases referred to them by NGOs and often dropped cases with clear indicators of trafficking. The absence of laws criminalizing all forms of trafficking impeded investigators' ability to charge suspected traffickers, particularly in cases where it was difficult to prove physical assault, theft, recruitment, or transportation. The government designated a team of prosecutors, which it expanded to include additional staff during the reporting period, to prosecute trafficking related crimes. The government amended the prosecution code—an administrative handbook to guide prosecutors in building criminal cases—in 2013 to include the 2000 UN TIP Protocol's definition of trafficking. However, there was no parallel change in the criminal laws.

Prosecutors sometimes used victims' acceptance to work outside of their contracts under duress as evidence that victims violated their immigration status, instead of as evidence of abuse, and prosecuted victims for immigration violations. The government trained a large number of police, immigration, labor, and customs officials on human trafficking awareness, victim identification, and the investigation of trafficking cases. The immigration and customs departments' provided trafficking related training to all new employees. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 28 trafficking victims in 2017, compared to 36 in 2016. Police, immigration, and customs officials utilized a two-tier victim identification mechanism to screen vulnerable populations and refer potential victims to services. Through this mechanism, authorities screened 4,710 vulnerable individuals (2,515 in 2016), identified 23 individuals with at least one indicator of trafficking, and after conducting full briefings of all 23, determined nine to be trafficking victims (eight victims of labor trafficking and one victim of sex trafficking). The government also identified 19 child victims of sex trafficking during law enforcement operations; although authorities did not prosecute them for crimes committed as a result of being subjected to trafficking, the government arrested and immediately returned all 19 child victims to their home without providing adequate services or ensuring they received assistance upon their return. The government introduced the screening mechanism to nine additional police districts in 2017. Despite this screening mechanism, officials often did not recognize trafficking consistently and did not consistently screen foreign domestic workers or persons in prostitution during investigations and police operations.

The government subsidized nine NGO-run shelters to serve victims of violence, abuse, or exploitation, including trafficking victims, including three dedicated to assisting minor victims. However, no trafficking victims received assistance in government-funded shelters during the reporting period. These shelters could provide temporary accommodation, counseling, and access to public hospital medical and psychological services to local and foreign victims, regardless of gender or age. Some government-funded shelters were specifically equipped to provide services and protection to child victims. Some victims received assistance from NGOs or foreign consulates. The labor department operated a 24-hour hotline, which was available for trafficking victims to receive crisis support counseling and assistance with referral to authorities or services.

The government reported it had guidelines stating that victims should not be prosecuted for crimes committed as a direct result of being subjected to trafficking. However, the government continued to prosecute possible unidentified victims for crimes committed as a direct result of being subjected to human trafficking, such as violating their labor contracts, using forged identity documents given to them by recruitment agencies or employers, prostitution, and immigration violations. Fears of penalization made victims, including foreign domestic workers, reluctant to report exploitation to authorities. Poor translation services, lack of trained attorneys, the inability to work while awaiting a decision, and judges' inexperience with forced labor cases sometimes impaired victims' attempts to claim back wages or restitution through labor tribunals. The government's policy requiring foreign domestic workers to return home within two weeks after their contract is terminated prematurely deterred potential trafficking victims from leaving or reporting exploitative employment as it imposed a prohibitive cost on changing their employer. The government allowed 31 exploited foreign domestic workers to pursue new employment visas without leaving the country in 2017. The government encouraged victims to participate in the investigation and prosecution of traffickers by offering financial assistance to victims residing overseas to enable their return to Hong Kong as witnesses and offering visa fee waivers to trafficking victims, as well as foreign domestic workers determined to be victims of illegal conduct; the government granted 133 visa fee waivers in 2017. Although this allowed some victims to work during pending prosecutions or labor tribunals, foreign victims were generally unable to do so, which deterred victims from cooperating with authorities or reporting exploitative employment. Hong Kong does not allow individuals to obtain permanent residency status as a result of being subjected to trafficking, even if repatriation may constitute a risk of hardship or retribution in the victim's home country.

PREVENTION

The government increased efforts to prevent trafficking; however, the government did not conduct campaigns to raise awareness of sex trafficking. In March 2018, the government announced the establishment of a high-level steering committee that would coordinate the government's anti-trafficking efforts. In addition, it released an action plan to combat trafficking and enhance protections for foreign domestic workers in March 2018. An inter-departmental working group led by the security bureau, composed of police, immigration, customs and excise, labor, and social welfare departments, continued to meet. NGOs reported weak coordination with government agencies, which continued to impede the government's anti-trafficking efforts. To improve the public's and workers' awareness of the rights of foreign domestic workers and the responsibilities of employers, the government continued to: publish information leaflets that it required employment agencies to distribute; operate workers' rights information kiosks in public areas; work with the Philippine and Indonesian consulates in Hong Kong to provide information briefings to newly arriving domestic workers regarding their rights; and publish translated versions of standard employment contracts in additional foreign languages. The government continued placing advertisements in newspapers, and distributing anti-trafficking pamphlets in several languages to foreign domestic workers at the airport, through their consulates, and in Filipino and Indonesian language newspaper advertisements. Employment agencies and employers often seized these packets from workers.

The government reported investigating 49 cases involving physically and sexually abused foreign domestic workers, prosecuted 15 employers of domestic workers (seven in 2016), and convicted four (five in 2016). The government reported arresting 78 employers of foreign domestic workers and convicting 35 for illegally deploying workers to perform non-domestic duties; sentences included fines and terms of imprisonment ranging from four weeks to two months. In February 2018, the government passed legislation that increased the penalties for operating an employment agency without a license or overcharging workers to include up to three years imprisonment and increase potential fines from no more than 50,000 Hong Kong dollars (HKD) ($6,400) to 350,000 HKD ($44,790). The Employment Agencies Administration (EAA) was responsible for inspecting agencies and implementing the new legislation. Inspections of agencies were ineffective and

often only consisted of undetailed reviews of documentation. NGOs reported fines and penalties given to employment agencies exploiting foreign domestic workers were too light and did not act as a deterrent for unscrupulous agencies. The EAA conducted 1,846 inspections of employment agencies in 2017; the labor department convicted two agencies for overcharging workers, four for unlicensed operations, and five for other offenses (eight agencies convicted in 2016). The government began to require employment agencies to comply with a newly instituted "code of practice" covering statutory requirements and standards for Hong Kong-based employment agencies. Authorities could cite the code of practice in decisions to extend or revoke employment agency licenses. The commissioner for labor revoked the licenses of six additional employment agencies on suspicion of overcharging foreign domestic workers and rejected applications for the renewal of several licenses based on non-compliance. Labor officials also issued an amended code of practice outlining the management of potential employees' passports and personal identification documents. However, some employment agencies reportedly continued to operate—and unlawfully retain workers' passports, with impunity—after losing their licenses, sometimes under a different name. The government reported efforts to reduce the demand for commercial sex and forced labor. The government did not provide anti-trafficking training to its officials posted overseas.

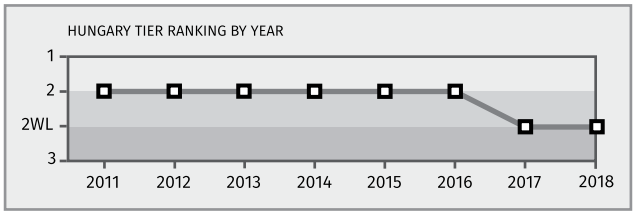
TRAFFICKING PROFILE

As reported over the past five years, Hong Kong is primarily a destination, transit, and to a much lesser extent, a source territory for men, women, and children subjected to forced labor and sex trafficking. Victims include citizens from mainland China, Indonesia, the Philippines, Thailand, and other Southeast Asian countries as well as countries in South Asia, Africa, and South America. Approximately 370,000 foreign domestic workers, primarily from Indonesia and the Philippines, work in Hong Kong; some become victims of forced labor in the private homes in which they are employed. An NGO report released in 2016 estimated as many as one in six foreign domestic workers is a victim of labor exploitation. Employment agencies often charge job placement fees in excess of legal limits, and sometimes withhold identity documents, which may lead to situations of debt bondage of workers in Hong Kong. The accumulated debts sometimes amount to a significant portion of the worker's first year salary. Some employers or employment agencies illegally withhold passports, employment contracts, or other possessions until the debt is paid. Some workers are required to work up to 17 hours per day, experience verbal, sexual or physical abuse in the home, and/or are not granted a legally required weekly day off. Some foreign domestic workers sign contracts to work in Hong Kong, but upon arrival are coerced or lured to work in mainland China, the Middle East, or Russia.

Some women in Hong Kong—often with the assistance of their families—deceive Indian and Pakistani men into arranged marriages that involve forced domestic servitude, bonded labor in construction and other physically demanding industries, travel and identity document retention, wage theft, and other forms of abuse via exploitative contracts. Separately, criminal syndicates or acquaintances sometimes lure women to Hong Kong from the Philippines, South America, and mainland China using false promises of lucrative employment and force them into prostitution to repay money owed for passage to Hong Kong. Traffickers sometimes psychologically coerce sex trafficking victims by threatening to reveal photos or recordings of the victims' sexual encounters to their families. "Compensated dating" continues to facilitate commercial sexual exploitation of Hong Kong children and make them vulnerable to trafficking.

HUNGARY: TIER 2 WATCH LIST

The Government of Hungary does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by funding two NGOs to provide victim services and piloting a new EU-funded digital platform to collect statistical information on trafficking victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Investigations and the number of victims identified continued to decrease from the previous reporting period. Government officials did not screen for trafficking indicators among vulnerable populations and law enforcement did not identify a single victim in the country. Only one of the three individuals convicted under a trafficking statute served jail time. Services for victims remained scarce, uncoordinated, and inadequate, especially for children and foreigners. Law enforcement arrested and prosecuted children exploited in sex trafficking as misdemeanor offenders, including sentencing five children to detention based on their exploitation in sex trafficking. Therefore Hungary remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR HUNGARY

Screen all individuals in prostitution for trafficking indicators and protect adults and children from punishment for crimes committed as a result of trafficking, including prostitution; significantly increase quality and frequency of specialized victim services for adults and children and provide sufficient funding to NGOs to offer victim care; proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in state-run homes and orphanages, and individuals in prostitution, including by enhancing training for law enforcement and social workers on recognizing indicators of exploitation; increase law enforcement and judiciary efforts to investigate, prosecute, and convict traffickers under the trafficking statute and punish them with imprisonment; adopt and implement a non-punishment provision to ensure trafficking victims are not inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being subjected to trafficking; amend anti-trafficking provisions of the penal code to explicitly address the irrelevance of victim consent relating to trafficking offenses and train law enforcement on its implementation; take steps to prevent trafficking of vulnerable children residing in state-run child care institutions and individuals who leave these institutions; increase victim-centered training of law enforcement, prosecutors, and social workers; bolster protection for victims who face serious harm and retribution from their traffickers, including by developing longer-term care options to improve reintegration; enhance the collection and reporting

of reliable law enforcement and victim protection data; and bring the anti-trafficking law in line with international law by more precisely defining exploitation and requiring fraud, force, or coercion as elements of the core offense of adult trafficking.

PROSECUTION

Law enforcement investigations and trafficking prosecutions decreased. Article 192 of the 2013 criminal code criminalized sex and labor trafficking, but inconsistent with the definition of trafficking under international law, established the use of force, fraud, or coercion as an aggravating factor rather than an essential element of the crime. The law broadly defined exploitation as the abuse of power for the purpose of taking advantage of a victim. The prescribed penalties for the base offense ranged from one to five years imprisonment, while the penalties for trafficking crimes involving aggravated elements ranged from two to 20 years or life imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes. Additionally, article 193 of the criminal code criminalized forced labor, with sentences ranging from one to five years imprisonment for adult labor trafficking and two to eight years imprisonment for child labor trafficking. Article 203 of the criminal code criminalized profiting from child prostitution, with penalties of up to eight years imprisonment.

Law enforcement data remained unreliable, making it difficult to assess efforts. In 2017, police closed 18 human trafficking investigations (25 in 2016). Of the 18 investigations, 16 were for forced labor, one for duress, and one for child labor. There were 19 additional cases of trafficking for unspecified forms of exploitation. Officials reported prosecuting three individuals for forced labor under article 193, compared with two in 2016. There were no prosecutions under article 192 in 2016 or 2017. Police closed 58 investigations of exploitation of child prostitution in 2017. Prosecutors also reported prosecuting 11 individuals for exploitation of child prostitution under article 203 (compared with 22 in 2016). Courts convicted three individuals for profiting from and promoting prostitution in 2017; two were convicted under article 192 and one was convicted under article 175/B of the old criminal code, all in the same case. Courts suspended the sentences (two years imprisonment) of the two individuals convicted under article 192. The court did not suspend the sentence of the third individual convicted under former article 175/B, which included one year and six months imprisonment, two years deprivation of civil rights, and a financial penalty. Courts convicted seven traffickers in 2016 (22 in 2015 and 10 in 2014). There were 17 convictions under article 203 in 2017. Although the 2012 criminal code removed a requirement that trafficking include a commercial transaction, judges reportedly continued to seek this evidence. County police conducted domestic investigations; investigations were transferred to the National Bureau of Investigations (NBI) trafficking unit if cases involved organized crime or an international connection. The NBI trafficking unit employed 11 people, which experts noted was insufficient given the magnitude of the problem. NGOs criticized local police for lack of sensitivity toward trafficking victims, and observers raised concerns that law enforcement regularly underreported trafficking offenses. Investigations were hampered by law enforcement's and prosecutors' lack of clarity on their roles and responsibilities, but ultimately prosecutors' offices supervised police trafficking investigations.

Police remained reluctant to investigate certain trafficking cases involving child victims, including vulnerable children in state-run care institutions. The government reported no knowledge of officials complicit in trafficking; some observers, however, expressed concern about potential police protection of suspected traffickers. The government did not provide standard training on trafficking for law enforcement professionals; only ad hoc training courses were conducted. The government trained 30 consular officers and approximately 130 judicial staff on victim protection (840 in 2016), and, with EU funding, conducted a training program for labor inspectors. During the reporting period, national police cooperated with their counterparts from Belgium, the Netherlands, and the United Kingdom on joint investigation teams pursuing sex trafficking cases. The government did not report extraditing any foreign nationals accused of trafficking, compared with 52 in the previous reporting period.

PROTECTION

The government maintained insufficient protection efforts. The government did not screen or adequately identify victims among vulnerable populations, such as adults and children involved in commercial sex, children living in government-run institutions, foreign workers, and unaccompanied minors, including asylum-seekers. The government decree on the trafficking victim identification mechanism listed the institutions responsible for identifying victims, the questionnaire to be completed with suspected victims, and procedural protocols. Observers criticized the mechanism for lacking clarity and standards, granting wide discretion to identifying bodies, including the police, as well as a lack of widespread dissemination of the protocols among front-line responders. Law enforcement generally treated all persons accused of prostitution as criminals, charging them with related administrative penalties and misdemeanor offenses. Hungarian anti-trafficking law did not protect trafficking victims, including children, from inappropriate administrative or criminal penalties for crimes committed as a direct result of their trafficking; the general non-punishment provision for victims of crime did not apply to misdemeanors or administrative offenses and was not implemented for trafficking victims. The government consistently failed to implement a 2011 EU directive requiring authorities to treat individuals subjected to trafficking in prostitution as trafficking victims regardless of initial consent, and Hungarian law did not include a provision on the irrelevance of victim consent. Authorities penalized 67 children (88 children in 2016), including 66 girls and one boy, for prostitution offenses; 33 children received a warning, 26 received a fine, five received detention, two were sentenced to community service work, and one had property confiscated. The Hungarian ombudsman for fundamental rights reported in March 2018 that the penalization of 14- to 18-year-olds for prostitution violated children's rights. The ombudsman recommended the interior minister consider amending the law to protect children under 18 years of age from punishment for prostitution, and that the national police review existing protocols on the handling of child trafficking for prostitution. The ombudsman also recommended that the government provide more efficient support and protection to child victims, and that it produce an action plan with dedicated government funding and targeted training for child protection experts.

The NBI trafficking unit did not report identifying any victims. In total, the government identified 33 victims, compared with 44 victims in 2016. Hungarian embassies identified nine victims, compared with 11 in 2016, but not all cases identified by embassies are reported through the system, making it difficult to compare numbers from year to year. The victim support service of the Office of Justice identified two victims, compared with nine in 2016. The victim support service provided 117,500 forint

($450) in financial aid for the two victims. The national crisis telephone information service (OKIT) provided support in 20 cases in connection with trafficking-related phone calls, involving 22 potential victims, compared with 23 in 2016. Eleven of the 22 victims received shelter. NGOs reported assisting approximately 66 trafficking victims, compared with 143 victims in 2016.

Victim assistance services remained scarce, uncoordinated, and inadequate, and exposed victims to the risk of re-victimization. All Hungarian and EU victims were eligible for government-provided financial support, psychological services, legal assistance, witness care, and shelter. The national referral mechanism did not apply to non-EU citizens without legal residence and did not provide a basis for funding services to these victims. The Ministry of Human Capacities (MHC) granted special approval to a government-funded NGO to provide services to non-EU national victims in a few cases when the NGO requested it. Experts criticized the government's lack of harmonized guidelines on protective services for victims, noting the referral system was ineffective, and reported there was no consensus among the responsible ministries regarding protected placement options for third country national victims, regardless of residency. Hungarian and EU victims were eligible to receive services through two temporary shelters for up to six months, independent of a victim's cooperation with law enforcement. The Ministry of Justice (MOJ) established three new crime victim support centers to provide comprehensive services to victims of crime, including trafficking victims, such as customized psychological and emotional support and information on victims' rights. The centers did not support any victims of trafficking as of the end of the reporting period. The government did not have a dedicated program to provide return and reintegration assistance for Hungarian victims identified abroad. Experts noted services for long-term reintegration were lacking. No victims received state-ordered restitution or compensation.

The government lacked a framework for identifying, referring, or assisting child victims other than the general child protection system and state-run homes, but this system had insufficient staff and resources to provide appropriate care or security, leaving victims vulnerable to re-trafficking. The government funded specialized services for eight minor female trafficking victims in a correctional facility. Experts criticized the chronic lack of assistance and specialized shelters for child trafficking victims. Children in state-run homes or orphanages were vulnerable to trafficking, both while living in the home and upon their required departure at age 18. Observers reported the government did not provide specialized services for child victims in state-run homes, which they described as "prison-like." In 2016, the MHC set up an expert working group, comprising NGO and government representatives, to focus on research, protection, prevention, and victim assistance regarding child sex trafficking in state care institutions; the group produced an assessment with recommendations in May 2017, which was distributed among the NGOs in the working group but not published. The government reported unaccompanied minors under 14 years old could be removed from transit zones and placed in a children's home in Fot, which did not offer specialized services for victims. The government planned to close the home in 2018 and did not report alternative accommodation for unaccompanied minors in the facility; media reports indicated authorities would transfer the children to a closed juvenile correctional facility. Unaccompanied minors between the ages of 14 and 18 could not leave the transit zone or be referred to the home in Fot until their asylum applications were approved.

The government provided 21.9 million forint ($84,740), compared to 19 million forint ($73,520) in 2016, in the form of one-year grants to one NGO to run two temporary shelters that could assist eight victims each with accommodation, psycho-social, and legal support. The NGO reported providing services for 20 victims (64 in 2016 and 62 in 2015), including one minor, as well as 12 dependent children and one adult relative. Authorities provided 5.4 million forint ($20,890), compared to 2 million forint ($7,740) in 2016, to another NGO to support its shelters providing services to trafficking victims. The government provided 6 million forint ($23,220) to an NGO to implement a trafficking prevention and training program for vulnerable children in two juvenile correctional centers in 2018. The MOJ subsidized two NGOs that assist crime victims, including trafficking victims, with 24.7 million forint ($95,570), compared to 76.6 million forint ($296,380) in 2016. There was a severe lack of funding for victim services.

Foreign victims could receive a 30-day reflection period to decide whether to assist law enforcement, during which they were eligible for a certificate of temporary stay. Victims who cooperated with authorities were entitled to a residence permit for the duration of their cooperation. The government did not issue any temporary residence permits, permanent residence permits, or exemptions from deportation for trafficking victims during the reporting period. NGOs remained concerned about inadequate government protection for victims who testified against traffickers; no victims assisted in an investigation or prosecution or participated in the witness protection program during the reporting period.

PREVENTION

The government maintained weak prevention and coordination efforts. The government had an anti-trafficking coordinator who chaired the national coordination mechanism, an entity including government actors, one international NGO, and the government-funded NGO that operated the trafficking shelters. Its work was complemented by the NGO roundtable, also chaired by the national coordinator. Coordination among these entities remained uneven. The government did not have an anti-trafficking national strategy and reported waiting for the European Commission to release a plan before adopting its own plan. The government did not release reports assessing its anti-trafficking efforts. The government provided approximately 1.5 million forint ($5,800) the same amount as in 2016, to support the operation of OKIT, a 24-hour hotline for assisting victims of domestic violence and human trafficking. The hotline received approximately 7,500 calls, approximately 100 of which were trafficking-related and involved 22 victims. No investigations were initiated because of calls to OKIT.

The government contributed 25 percent of the funding for six trafficking-related projects awarded by the EU, worth a total of 137 million forint ($530,080). The government did not commit additional funding to continue these projects when EU funding expires in 2018. Experts said the EU funding did not provide a long-term, durable solution to address the magnitude of the problem. An international organization received 70 million forint ($271,850) to conduct a social media public awareness campaign on trafficking and 14 million forint ($54,170) to establish a transnational referral mechanism between Hungary and Switzerland. The national police received 20 million forint ($77,380) to provide training for approximately 700 police officers and front-line practitioners and 8 million forint ($30,950) to organize eight local forums to enhance regional coordination. The immigration and asylum office used 7 million

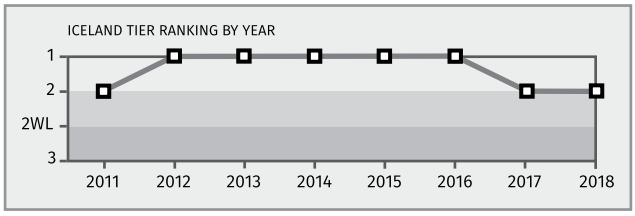
forint ($27,080) to train immigration and asylum officials, produce a document to be used in victim identification, and organize a conference. The MOJ received 18 million forint ($69,650) to design a new digital platform for recordkeeping and case management on trafficking victims. The government launched the platform in September, and began training experts. Two county police headquarters also organized local awareness campaigns. The government did not make substantial efforts to reduce the demand for sex or labor trafficking. The government did not have the authority to inspect labor recruitment agencies or impose fines or punishment on foreign labor exchange agencies that committed trafficking offenses. The government did not have the authority to inspect the activities of labor recruitment agencies, but it could assess agencies' compliance with regulations concerning temporary work; it did not identify any victims while conducting this type of inspection.

TRAFFICKING PROFILE

As reported over the past five years, Hungary is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Vulnerable groups include Hungarians in extreme poverty, undereducated young adults, Roma, single mothers, asylum-seekers and unaccompanied minors, and homeless men. Hungarian women and children are subjected to sex trafficking within the country and abroad, mostly within Europe, with particularly high numbers in Germany, the Netherlands, and France. Hungarian men and women are subjected to forced labor domestically and abroad, particularly in Germany, the United Kingdom, and the Netherlands. NGOs have reported a phenomenon of selling disabled victims for sex trafficking. Hungarians, particularly Romani women and girls and those from state care institutions, are exploited in sex trafficking in large numbers in Austria by Hungarians of Roma and non-Roma origin. A large number of Hungarian child sex trafficking victims exploited within the country and abroad come from state-provided childcare institutions and correctional facilities, and traffickers recruit them when they leave these institutes. Hungarian women lured into sham marriages to third-country nationals within Europe are reportedly subjected to forced prostitution. Hungarian men are subjected to labor trafficking in agriculture, construction, and factories in Western Europe. Trafficking victims from Eastern European countries transit Hungary en route to Western Europe. Hungary is a transit country for asylum-seekers and illegal migrants, some of whom may be or may become trafficking victims. Within the country, Romani children are exploited in forced begging, child sex trafficking involving both girls and boys, and forced petty crime.

ICELAND: TIER 2

The Government of Iceland does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Iceland remained on Tier 2. The government demonstrated increasing efforts by investigating more trafficking cases and adding a staff member to the specialized investigative unit. Iceland also identified more potential victims and increased resources for overall victim protection. However, the government did not meet the minimum standards in several key areas. The government did not prosecute or convict any suspected traffickers for the seventh consecutive year. Observers reported the need for further clarification on referral procedures and the inability for victims to receive work permits hindered investigations due to victims leaving the country for employment.



RECOMMENDATIONS FOR ICELAND

Significantly increase and report efforts to identify trafficking victims and refer victims to care facilities for assistance; intensify efforts to investigate, prosecute, and convict suspected traffickers; increase training for all police, prosecutors, and judges on detecting and prosecuting trafficking crimes; prioritize building trust between law enforcement and victims and provide protection and work permits to encourage victims to participate in the investigation and prosecution of traffickers; provide specialized services, including for male and child trafficking victims; enhance training methods for collecting evidence against suspected traffickers to avoid overreliance on victim testimony; improve victim referral procedures and develop procedures for identifying victims of forced marriage; expand training for officials on proactive identification of trafficking victims, particularly among migrant workers, unaccompanied children, and asylum-seekers; and finalize a current national anti-trafficking action plan and provide adequate funding for its implementation.

PROSECUTION

The government slightly increased law enforcement efforts. Article 227a of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to eight years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement reported 20 investigations compared with 16 investigations in 2016. Law enforcement also investigated one suspect for knowingly soliciting a sex trafficking victim to perform a commercial sex act. The government has not reported prosecuting or convicting any trafficking cases since 2010. Law enforcement did not conduct any international investigation during the year, compared to one in 2016. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The police maintained a special investigative unit dedicated to combating trafficking and prostitution and added a staff member to the unit for a total of three officers. Law enforcement maintained a special email address for tips or inquiries about possible trafficking cases. The Ministry of Justice (MOJ) announced increasing resources for police by 407 million krona ($3.9 million) to investigate sexual abuse cases, including sex trafficking. Observers reported the need to consistently train and educate prosecutors and judges on trafficking. The police college curriculum included instruction on victim identification and investigation of trafficking cases and police officers working on prostitution-related offenses received specific training on trafficking.

PROTECTION

The government maintained victim protection efforts.

Government-funded civil society organizations identified seven potential trafficking victims, compared to four official victims in 2016. Of these, three were potential victims of sex trafficking, compared to four forced labor victims in 2016. Police were unable to confirm the form of trafficking of the other potential victims. The national police commissioner maintained detailed procedures for police to use to identify, contact, and deal with possible trafficking victims to provide them with assistance. The government continued to distribute information on the EU-issued "Guidelines for the Identification of Victims of Trafficking" and NGO-developed interview guidelines to government employees most likely to come into contact with trafficking victims. The Directorate of Immigration had written procedures to identify trafficking victims and provide them with information and resources, including during the interview process for asylum-seekers. Immigration and police officers maintained a pocket checklist to identify potential victims and inform them of available services. The government did not have a national referral mechanism, but police maintained standardized referral procedures that required police to contact welfare services in the municipality and the Ministry of Welfare (MOW) to coordinate victim care and placement. NGOs stated these procedures worked effectively in practice but required further clarification on the roles and responsibilities, including guidance on where to refer victims. Government-funded NGOs provided equal assistance and support to official and potential victims; the MOW provided services to two potential victims and four potential victims received assistance from the women's shelter, compared to one victim in 2016. The government held 10 sessions on victim identification and assistance for approximately 400 officials.

The government maintained its two-year agreement signed in December 2016 to provide funding for an NGO-run domestic abuse shelter to provide emergency shelter to female trafficking victims and their children. The 2018 state budget allocated 76 million krona ($730,140) to the domestic abuse shelter, compared with 71 million krona ($682,100) for 2017. The MOW provided the shelter with an additional 300,000 krona ($2,880) for the provision of services for trafficking victims, compared to 350,000 krona ($3,360) in 2017. The shelter maintained a team of specialists to manage cases involving possible trafficking victims. Victims had access to free legal, medical, psychological, and financial assistance, whether or not they stayed at the shelter or cooperated with authorities. Municipal social service agencies provided services and financial assistance to trafficking victims, and the MOW reimbursed the municipalities for all associated expenses. In 2016, the government refunded 22.3 million krona ($214,240) to municipal governments for expenses related to "foreign citizens in distress," which may have included trafficking victims. The government allocated 77 million krona ($739,740) in the 2018 state budget to a separate NGO offering psychological services to individuals in prostitution and trafficking victims, compared to 71 million krona ($682,100) in 2017. The government in collaboration with several NGOs opened a center offering free comprehensive services to abuse victims, including trafficking victims, as a two-year pilot project and allocated 50 million krona ($480,350). There were no specialized care available for male victims, though they could access general social services and receive referrals to NGOs providing food, shelter, legal advice, and health care. Municipal and state child protection services were responsible for assisting unaccompanied children, including child trafficking victims.

Witness protection for trafficking victims was not mandated by law, but the government could provide it. In previous years, an NGO reported victims of forced marriage, which may involve forced labor or sex trafficking crimes, generally did not contact police or press charges due to fear of traffickers and because cases can be difficult to prove. Victims could file civil suits against traffickers or seek restitution from the government, but no victims did so during the reporting period. Any foreign trafficking victim could obtain a nine-month residence permit. An additional one-year renewable residence permit was available to victims who cooperated with law enforcement or who faced retribution or hardship in their home countries; however, victims with either temporary residence permit could not apply for a permit to work legally in the country. Police reported that investigations often stall because foreign victims leave the country to seek employment. The government did not report issuing any temporary residence permits in 2017, compared to one in 2016.

PREVENTION

The government maintained efforts to prevent trafficking. MOJ led the steering group that met once a month to coordinate interagency anti-trafficking efforts. The Directorate of Labor (DOL) maintained a three-member team to respond to suspected trafficking cases and educate government employees on trafficking and identifying possible victims. DOL monitored the operations of companies that hired foreign "posted workers" by reviewing hiring contracts, checking paychecks against bank statements, and conducting targeted visits to talk to employees and supervisors. The government's 2013-2016 national action plan expired during the previous reporting period; the government reported a new action plan was in development. The government organized an awareness raising conference for approximately 200 government officials and civil society, including police, prosecutors, and labor unions. Police continued to enforce laws against purchasing commercial sex but did not report efforts to reduce the demand for forced labor.

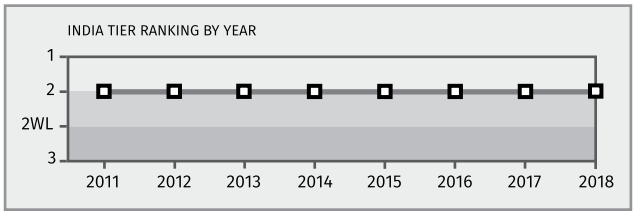
TRAFFICKING PROFILE

As reported over the past five years, Iceland is a destination and transit country for women subjected to sex trafficking and men and women subjected to labor trafficking. Women from Eastern Europe, the Baltics, and South America are subjected to sex trafficking, often in nightclubs and bars. Men and women from the Baltics, Eastern Europe, South America, and East Asia are subjected to forced labor in construction, tourism, and restaurants. Foreign "posted workers" are at particular risk of forced labor as the traffickers pay them in their home countries and contract them to work for up to 183 days in Iceland to avoid taxes and union fees, limiting tax authorities' and union officials' ability to monitor their work conditions and pay. Traffickers also subject women to domestic servitude, forced labor, and sex trafficking and men to forced labor; NGOs note these cases rarely come to the attention of police. Traffickers reportedly exploit the visa-free regime in the Schengen Zone and the European Economic Area to bring victims to Iceland for up to three months and move them out of the country before they must register with local authorities.

INDIA: TIER 2

The Government of India does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated

increasing efforts compared to the previous reporting period; therefore India remained on Tier 2. The government demonstrated increasing efforts by nearly tripling the number of victims identified and increasing its budget for shelter programs for female and child trafficking victims. The government's inter-ministerial committee met during the reporting period to discuss and revise a draft anti-trafficking bill and India's border guard force on the India-Nepal border conducted several awareness activities on human trafficking for students and border communities. However, the government did not meet the minimum standards in several key areas. Overall victim protection remained inadequate and inconsistent, and the government sometimes penalized victims through arrests for crimes committed as a result of being subjected to human trafficking. The government's conviction rate and the number of investigations, prosecutions, and convictions was disproportionately low relative to the scale of trafficking in India, particularly with respect to bonded and forced labor. Despite reports of some officials complicit in trafficking, the government did not report investigating such allegations.



RECOMMENDATIONS FOR INDIA

Increase prosecutions and convictions for all forms of trafficking, including forced and bonded labor, and of officials allegedly complicit in trafficking, respecting due process; establish and fully resource anti-human trafficking units (AHTUs) in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs; significantly increase efforts to identify victims proactively to include disseminating and implementing standard operating procedures (SOPs) to harmonize victim identification and referral, and training officials on their use; cease the penalization of trafficking victims; protect victim confidentiality and privacy, including on government-issued identification documents; improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and compensation funds; develop and adopt a national action plan to combat trafficking; eliminate all recruitment fees charged to workers and raise awareness among workers that they are not required to pay for a job; promptly disburse government funding for shelters and develop monitoring mechanisms to ensure quality of care; continue to increase the transparency of government efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate, prosecute, and punish sex and labor trafficking; lift the ban on female labor migration to certain countries to discourage migration through undocumented channels; provide funding for states to establish fast-track courts that deal with all forms of human trafficking; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement in or facilitation of trafficking crimes, and to provide personnel the tools to identify and assist trafficking victims in their work.

PROSECUTION

The government maintained law enforcement efforts. Indian law criminalized sex trafficking and some forms of labor trafficking. Section 370 of the Indian Penal Code (IPC) criminalized slavery, servitude, and most forms of sex trafficking and prescribed penalties ranging from seven years to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Section 370 required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, Sections 372 and 373 of the IPC criminalized the exploitation of children through prostitution without requiring a demonstration of such means, thereby addressing this gap. These sections prescribed penalties of up to ten years imprisonment and a fine, which were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Section 370 criminalized government officials' involvement in human trafficking and prescribed penalties up to life imprisonment. Bonded labor was specifically criminalized under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which prescribed sufficiently stringent penalties of up to five years imprisonment, and the Bonded Labor System (Abolition) Act (BLSA), which prescribed penalties of up to three years imprisonment, which were not sufficiently stringent. The Juvenile Justice Act and other sections of the IPC criminalized many forms of forced labor; however, these provisions were unevenly enforced and some of their prescribed penalties were not sufficiently stringent, allowing for only fines or short prison sentences. The government frequently used the Immoral Traffic Prevention Act (ITPA) and various provisions of the IPC, which prescribed penalties that were sufficiently stringent and commensurate with other serious crimes such as rape, to prosecute sex trafficking.

During the reporting period, the National Crimes Record Bureau (NCRB) issued the 2016 Crime in India Report, the most recent law enforcement data available. The 2016 report utilized different sections of law from previous years' reports by including additional sections of the penal code relevant to human trafficking and removing ITPA data from the reported totals for human trafficking, thereby making past data incomparable. The 2016 report also included IPC section 367 in its aggregated trafficking data despite this section covering crimes broader than trafficking; the government did not report if it had disaggregated non-trafficking crimes from the data. In 2016, police investigated 5,217 trafficking cases and the government completed the prosecution of 587 cases. Of these cases, courts convicted traffickers in 163 cases and acquitted individuals in 424 cases. The acquittal rate for trafficking cases increased from 65 percent in 2015 to 72 percent in 2016. The government did not publish the categorization of the cases between sex or labor trafficking. The NCRB did not include cases of bonded labor in the overall human trafficking statistics, but did separately report 114 investigations and 13 prosecutions of cases in 2016 under the BLSA. This was an increase from 77 investigations and seven case prosecutions in 2015. However, the courts' convictions under the BLSA remained notably low at only three in 2016 (compared to four in 2015), although bonded labor offenders may also be charged and convicted under other laws. The government did not report sentences for convictions. A senior police official noted at least one state did not report conviction data to the NCRB because of concern over the integrity of local data. Despite the overall increase in trafficking cases reported by the NCRB, NGOs continued to comment the figures did not reflect the large scale of human trafficking crimes in India, as many cases were not registered by police or were settled at the complaint stage. Inconsistent application of the law across jurisdictions, corruption among

some officials, and a lack of awareness or capacity in some parts of the country resulted in incidents of inaction on trafficking crimes by police and prosecutors.

In February 2018, the Union Cabinet, chaired by the prime minister, approved the Trafficking in Persons (Prevention, Protection and Rehabilitation) Bill for introduction in the Parliament. If passed, the government reported the bill would address the issue of trafficking from the "point of view of prevention, rescue and rehabilitation," criminalize aggravated forms of trafficking, and create a national anti-trafficking bureau to comply with a December 2015 Supreme Court directive to establish an anti-trafficking investigative agency. The creation of such an agency was pending the passage of the anti-trafficking bill, although the Ministry of Women and Child Development (MWCD) had allocated 832 million Indian rupees (INR) ($13.1 million) to the Ministry of Home Affairs (MHA) for the agency. AHTUs continued to serve as the primary investigative force for human trafficking crimes. In the previous reporting period, MHA released funds to establish a total of 270 AHTUs out of the more than 600 districts. MHA reported 264 AHTUs were operational throughout the country during the reporting period, an increase of five compared with the previous reporting period. Some NGOs reported significant cooperation with AHTUs on investigations and police referral of victims to NGOs for rehabilitation services. However, other NGOs noted some AHTUs continued to lack clear mandates and were not solely dedicated to anti-trafficking, which created confusion with other district- and state-level police units and in some cases impeded their ability to proactively investigate cases. Some police offices reportedly used AHTU resources and personnel for non-trafficking cases. Coordination across states remained a significant challenge in cases where the alleged trafficker was located in a different state from the victim. NGOs noted some police offices were overburdened, underfunded, and lacked the necessary resources, such as vehicles and computers, to combat trafficking effectively. NGOs noted some prosecutors and judges did not have sufficient resources to properly prosecute and adjudicate cases. State and local governments partnered with NGOs and international organizations to train police, border guards, public prosecutors, railway police, and social welfare and judicial officers. MHA provided roughly 191,000 INR ($3,000) for Telangana and Andhra Pradesh to organize a judicial colloquium in December 2017 for 130 judges and prosecutors on sex trafficking.

Official complicity in human trafficking occurred at varying levels of government. The government did not report comprehensive data on investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The 2016 Crime in India Report, the most recent law enforcement data available, stated under the corruption act and related IPC sections, there were 4,764 officials charged, 1,071 officials convicted, and 1,947 officials acquitted in 2016; the government did not report whether any of the cases were related to human trafficking. Some corrupt law enforcement officers reportedly protected suspected traffickers and brothel owners from law enforcement action, received bribes from sex trafficking establishments and sexual services from victims, and tipped off sex and labor traffickers on forthcoming raids. Media quoted a Delhi government official as stating Delhi's red-light area had become a hub for human trafficking, especially of girls, and alleging the involvement of police, politicians, and local government officials. There were no reports of investigations into such cases of complicity for the second consecutive year.

PROTECTION

The government increased efforts to protect victims. The NCRB reported the government's identification of 22,955 victims in 2016, compared with 8,281 in 2015. The NCRB reported 11,212 of the victims were exploited in forced labor, 7,570 exploited in sex trafficking, 3,824 exploited in an unspecified manner, and 349 exploited in forced marriage, although it is unclear if the forced marriage cases directly resulted in forced labor or sex trafficking. The government did not disaggregate the type of exploitation experienced by the age, gender, or nationality of the victim and included a small number of non-trafficking crimes in its overall victim demographic numbers; thus the following information included 162 more persons than the total number of trafficking victims identified. The government identified 8,651 boys, 7,238 women, 5,532 girls, and 1,696 men as trafficking victims. Of the victims, 22,932 were Indian, 38 Sri Lankan, 38 Nepali, 36 Bangladeshi, and 73 were various other nationalities, including Thai and Uzbek. A 2009 MHA non-binding directive advised state officials to use SOPs for proactive victim identification and referral to protection services; however, it is unclear if all 29 states employed such SOPs. Some NGOs noted police did not use SOPs and were not proactive in their identification of potential victims; instead, police reportedly relied on NGOs to identify and report the location of the victim to the police for rescue. In December 2017, after consultations with civil society, the National Human Rights Commission created and published SOPs for combating human trafficking. These SOPs included information on the definition of trafficking, myths and misconceptions about trafficking, a screening tool to help identify potential victims, steps to rescue a victim including providing immediate care and support to the victim, and information on rehabilitation programs and restitution. MWCD's SOPs for cases of missing children, created in the previous reporting period, continued to mandate the transfer of cases not resolved within four months to an AHTU. MWCD and MHA continued to implement TrackChild, a system to identify missing children nationally. MWCD continued to support the national Childline hotline, an emergency phone service for children in need of assistance, including trafficking victims. State- and district-level law enforcement continued to carry out operations to rescue and rehabilitate missing and exploited children, some of whom may have been subjected to forced labor or sex trafficking. Some state- and district-level law enforcement actively partnered with NGOs to identify, rescue, and provide rehabilitation services to victims; however, other police officers reportedly undertook rescue operations without further investigating or charging suspects.

MWCD continued to fund NGO- and government-run shelter and rehabilitation services for women and children through the *Ujjawala* program, specifically for female sex trafficking victims, and the *Swadhar Greh* program, for women in difficult circumstances. The central government's budget for the *Ujjawala* program increased from 203 million INR ($3.2 million) in 2016-2017 to 350 million INR ($5.5 million) in 2017-2018 and the *Swadhar Greh* budget decreased from 840 million INR ($13.2 million) to 750 million INR ($11.8 million). NGOs continued to report the number of government shelters was insufficient and overcrowding compromised victim rehabilitation. Both government- and NGO-run shelters faced shortages of financial resources and trained personnel, particularly of counselors and medical staff. NGOs relied primarily on donor contributions to provide victim services, although some received government funds. The disbursal of government funding to NGOs was sometimes delayed for multiple years and corruption reportedly drained some resources intended for victim care. Some victims waited months for transfer from temporary "transit homes"

to shelters that provide long-term care due to shortages of government funds, shelter staff, or police escorts. Government child welfare committees placed child victims in private shelters or in government juvenile justice homes, some of which may have housed child victims with children accused of crimes. Children largely received the same government services as adults. Media reported allegations that some privately-run children's homes subjected children to trafficking. During the reporting period, police in Tamil Nadu charged the director of an unregistered children's home under trafficking and juvenile justice laws.

In May 2016, the central government revised its program for the rehabilitation of bonded laborers to increase compensation and include female sex trafficking and child forced labor victims as eligible to receive restitution and assistance. In June 2017, the Ministry of Labor and Employment (MoLE) disseminated a memo to local and state governments clarifying parts of the 2016 program and outlining additional modifications. The memo clarified district administrations could provide immediate monetary assistance up to 20,000 INR ($310) to a victim released from bonded labor regardless of the status of a related court case. However, the release of the overall restitution amounts (between 100,000 INR [$1,570] and 300,000 INR [$4,710] based on the victim's demographics) remained contingent on the conviction of the trafficker or administrative processes that may take several years to conclude. Media and NGOs reported a small number of victims received initial monetary assistance; however, media also reported the inaction of districts and states on bonded labor in part due to a lack of funds. State governments were required to provide victims with immediate monetary assistance from state budgets and then request reimbursement from the central government. Judges could also order victim restitution through other government compensation programs. While these programs were also mostly based on the conviction of the trafficker, in August 2017 before a trial took place a judge ordered restitution of 300,000 INR ($4,710) to a child sex trafficking victim under the 2012 Prevention of Children Against Sexual Offenses Act's compensation fund. Rescued bonded laborers were entitled to "release certificates" enabling them to receive government-funded services. Many victims received certificates at or soon after their rescue, especially in areas where there was significant coordination between the government and NGOs. Other victims experienced lengthy delays before obtaining the certificates. The government did not provide adult male trafficking victims, other than bonded labor victims, any protection services. Government-run hospitals provided emergency medical services to victims, although long waiting lists made it difficult to obtain surgery and other procedures and NGOs often had to pay for victims' emergency medical treatment. In August 2017, the district government of Jashpur, Chhattisgarh initiated a pilot program to provide ten female trafficking survivors a location and equipment to open a bakery. In March 2018, the President of the Republic of India awarded the bakery and the survivors the Nari Shakti Puraskar (Women Empowerment Award) and launched an NGO-run three-month course to build the confidence of trafficking survivors, assess their skills and educational levels, and connect them with the government-run Skill India program for vocational training. Media reported the government aimed to provide vocational training to 500,000 survivors in the future.

Foreign victims received the same access to shelter and services as Indian nationals. Government policy on foreign victims dictated their return to their country of origin at the earliest possible time. Authorities detained foreign sex trafficking victims to government aftercare homes until repatriation and did not permit them to work in the local economy. The repatriation of foreign victims could take years due to a number of constraints, including some victims' lack of identity documents. NGOs stated children who could not identify their home state or country were unable to be returned to their families or place of origin. The governments of India and Bangladesh continued to implement their 2015 Memorandum of Understanding (MOU) on human trafficking, including through coordination on repatriation; Bangladeshi NGOs reported the average Bangladeshi victim was repatriated within six months.

To protect both Indian and foreign national victims during trial, prosecutors may request the victim be permitted to testify by video or behind a screen, the proceeding be closed to the media and public, and irrelevant and potentially harmful questions be barred; it is unknown if these protections were used for trafficking victims during the reporting period. In 2009, MHA provided guidelines to all state governments encouraging police not to charge victims for crimes committed while subjected to human trafficking, including foreign women and child victims for immigration violations. However, in certain cases, the government continued to penalize victims as a result of inconsistent identification and screening efforts, including sex trafficking victims arrested for prostitution and foreign trafficking victims charged with immigration violations. In 2014, the government began denying travel of trafficking victims and their family members, including by confiscating the passports of Indians who received a visa from a foreign government indicating the person was a trafficking victim in the foreign country or was a family member of a victim. The government revised this policy in 2015 to allow these victims and their families to renew their passports and travel if documentation of the victim's trafficking experience was provided and the Indian government determined the person to be a trafficking victim. However, some victims continued to cite lengthy delays, requests from the government for private or otherwise sensitive information, and inconsistent application of the policy when attempting to renew their passports. In 2016 and 2017, the government stamped the passports of some recipients of the foreign government's visas, for both trafficking victims and their eligible family members, identifying them as trafficking victims involved in a particular investigation, civil, or criminal case. While the stamp requested authorities permit the visa holder to travel without hindrance, some NGOs familiar with this practice noted it made some victims fearful of reprisal and penalization and served as a deterrent to victims interacting with authorities.

PREVENTION

The government maintained overall efforts to prevent human trafficking. The government's inter-ministerial committee, chaired by the secretary of the MWCD and including civil society organizations and relevant government ministries, met during the reporting period to discuss and revise the draft anti-trafficking bill. The government did not have a national action plan to combat trafficking; however, it did have a national plan of action for children, launched in a previous reporting period, which outlined efforts to prevent and protect children from trafficking and to conduct research and analysis. In January 2018, the government reported help desks had been established in 33 major railway stations to provide immediate support to unaccompanied children, who may be missing, abandoned, or runaways and who may be vulnerable to exploitation, including trafficking. Sashastra Seema Bal (SSB), India's border guard force on the India-Nepal border, conducted several awareness activities on human trafficking

for students and border communities in September 2017. SSB hosted a workshop, organized a painting competition to raise awareness in 39 schools, and commissioned two vehicles to create an awareness caravan for border districts with speakers and awareness materials. Some state governments had state-level action plans, task forces, and MOUs to combat trafficking and conducted anti-trafficking awareness campaigns or made in-kind contributions to NGO-run campaigns. West Bengal police continued to implement regular awareness events with students, teachers, and administrators, including in four new districts in early 2018.

The government registered foreign recruitment agencies and Indian migrant workers through the eMigrate online system. The government required migrant workers going to 17 specific countries, including the Middle East, to receive emigration clearance before their departure. Among other steps, clearance required Indian overseas missions to verify employment agreements for unskilled and farm workers and all female migrant workers. The government banned female migrant workers under age 30 from working in the 17 countries. The UN and members of civil society continued to argue any ban on migration increased the likelihood of migrating illegally and therefore heightened their vulnerability to human trafficking. MEA provided counseling and other resources to those considering migrant work at five resource centers in Chennai, Gurgaon, Hyderabad, Kochi, and Lucknow. In July 2017, India's Cabinet approved revised guidelines for the MEA's Indian Community Welfare Fund (ICWF) to expand the fund's geographic use from 43 Indian missions to all Indian missions abroad and the scope of services to include awareness measures and hotlines for migrant workers in distress, in addition to continuing the services of shelter, legal assistance, and repatriation. The ICWF was primarily funded through overseas consular fees. The government had MOUs on human trafficking with Bahrain, Bangladesh, and the United Arab Emirates, and in January 2018, India and Cambodia signed a MOU on the prevention of human trafficking and the rescue and repatriation of victims. The government permitted licensed foreign employment recruiters to charge migrant workers up to 20,000 INR ($310) for worker-paid recruitment fees and costs; however, observers stated migrant workers were frequently charged more than the maximum and obtained loans to pay the recruiters, thereby increasing their debt and vulnerability to labor trafficking. The government prohibited the role of unregulated and unregistered sub-agents; however, sub-agents reportedly continued to operate widely with impunity. MEA reportedly worked with the Central Bureau of Investigation to address cases of recruitment fraud and trafficking allegations and revoked recruitment licenses, but it did not report how many licenses it revoked during the reporting period.

Within India, some states regulated aspects of the informal labor sector, including seven state governments that stipulated a minimum wage for domestic work. In October 2017, MoLE solicited public input on the formulation of a national domestic worker policy. The government amended the Child Labor (Abolition) Act in August 2016 to ban employment of children below the age of 14. The amended law also prohibited the employment of children between the ages of 14 and 18 in hazardous work except in mines; however, the law permitted employment of children in family-owned enterprises, involving nonhazardous activities, after school hours. Indian civil society continued to express concern that these changes amounted to legalizing some forms of child labor that would subsequently increase the vulnerability of children to trafficking. According to Indian child labor organizations, the number of labor inspectors was inadequate for the scope of work and inspectors could only inspect private farms or residences if a complaint had been filed.

The central government's May 2016 revision of the bonded laborers rehabilitation program provided for the reimbursement of 450,000 INR ($7,060) per district for a census of bonded labor. In its June 2017 memo, MoLE outlined modifications to this provision, including that the central government will advance 50 percent of the amount required for conducting the surveys to the state and that five evaluation studies per year may be conducted. The government did not report if any state had conducted such surveys.

Despite India being a destination for child sex tourism, the government did not report measures to reduce child sex tourism. In January 2018, the government of Andhra Pradesh appointed a panel of legal experts and civil society to make recommendations on which laws could be used to prosecute buyers of sex. The government did not report additional efforts to reduce the demand for commercial sex acts or forced labor. The Indian military conducted training on trafficking for its personnel before deployment on peacekeeping or similar missions. The government did not provide information about any anti-trafficking training provided to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Forced labor constitutes India's largest trafficking problem; men, women, and children in debt bondage—sometimes inherited from previous generations—are forced to work in brick kilns, rice mills, embroidery factories, and agriculture. Most of India's trafficking problem is internal, and those from the most disadvantaged social strata—lowest caste *Dalits*, members of tribal communities, religious minorities, and women and girls from excluded groups—are most vulnerable. Within India, some are subjected to forced labor in sectors such as construction, steel, garment, and textile industries, wire manufacturing for underground cables, biscuit factories, pickling, floriculture, fish farms, and ship breaking. Workers within India who mine for sand are potentially vulnerable to human trafficking. Thousands of unregulated work placement agencies reportedly lure adults and children under false promises of employment into sex trafficking or forced labor, including domestic servitude.

In addition to bonded labor, some children are subjected to forced labor as factory and agricultural workers, carpet weavers, domestic servants, and beggars. Begging ringleaders sometimes maim children to earn more money. Some NGOs and media report girls are sold and forced to conceive and deliver babies for sale. The "Provident Funds" or "*Sumangali*" scheme in Tamil Nadu, in which employers pay young women a lump sum, used for education or a dowry, at the end of multi-year labor contracts may amount to conditions of forced labor. Separatist groups, such as the Maoists in Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha, force some children to act as spies and couriers, plant improvised explosive devices, and fight against the government, although reportedly to a lesser degree than previous years.

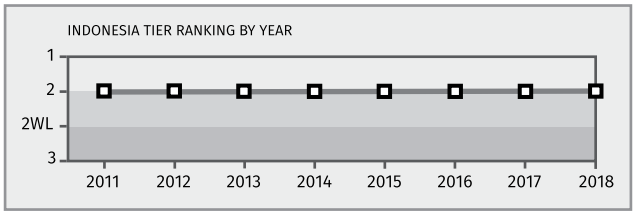
Experts estimate millions of women and children are victims of sex trafficking in India. Traffickers use false promises of employment or arrange sham marriages within India or Gulf states and subject women and girls to sex trafficking. In

addition to traditional red light districts, women and children increasingly endure sex trafficking in small hotels, vehicles, huts, and private residences. Traffickers increasingly use websites, mobile applications, and online money transfers to facilitate commercial sex. Children continue to be subjected to sex trafficking in religious pilgrimage centers and by foreign travelers in tourist destinations. Many women and girls, predominately from Nepal and Bangladesh, and from Europe, Central Asia, Africa, and Asia, including Rohingya and other minority populations from Burma, are subjected to sex trafficking in India. Prime destinations for both Indian and foreign female trafficking victims include Kolkata, Mumbai, Delhi, Gujarat, Hyderabad, and along the India-Nepal border; Nepali women and girls are increasingly subjected to sex trafficking in Assam, and other cities such as Nagpur and Pune. Some corrupt law enforcement officers protect suspected traffickers and brothel owners from law enforcement efforts, take bribes from sex trafficking establishments and sexual services from victims, and tip off sex and labor traffickers to impede rescue efforts.

Some Indian migrants who willingly seek employment in construction, domestic work, and other low-skilled sectors in the Middle East and, to a lesser extent, other regions, face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers. Girls from northeast India were reportedly vulnerable to human trafficking as they transited Burma on fake Burmese passports to circumvent the Indian government's required emigration clearance to migrate for work to certain countries. Some Bangladeshi migrants are subjected to forced labor in India through recruitment fraud and debt bondage. Some Nepali, Bangladeshi, and Afghan women and girls are subjected to both labor and sex trafficking in major Indian cities. Following the 2015 Nepal earthquakes, Nepali women who transit through India are increasingly subjected to trafficking in the Middle East and Africa. Some boys from Bihar and Uttar Pradesh are subjected to forced labor in embroidery factories in Nepal. Burmese Rohingya, Sri Lankan Tamil, and other refugee populations continue to be vulnerable to sex trafficking and forced labor in India.

INDONESIA: TIER 2

The Government of Indonesia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Indonesia remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers, and identifying more victims compared to the previous year. It also repatriated and provided services to more Indonesian victims from overseas; implemented new regulations to prevent trafficking in the fishing industry; negotiated initiatives with the private sector to reduce vulnerability of Indonesian overseas workers; and conducted training for officials. The government convicted an immigration official under the 2007 anti-trafficking law and sentenced him to six years in prison in June 2017. However, the government did not meet the minimum standards in several key areas. Endemic corruption among officials remained, which impeded anti-trafficking efforts and enabled many traffickers to operate with impunity. The 2007 anti-trafficking law included a requirement of demonstrated force, fraud, or coercion to constitute a child sex trafficking crime, which is inconsistent with international law. Officials' lack of familiarity with trafficking indicators and anti-trafficking laws impaired proactive victim identification among vulnerable populations and hindered law enforcement efforts.



RECOMMENDATIONS FOR INDONESIA

Investigate, prosecute, and convict corrupt public officials that willfully ignore, facilitate, or engage in trafficking crimes; amend the 2007 law to remove the required demonstration of force, fraud, or coercion to constitute child sex trafficking; increase efforts to effectively monitor labor recruitment agencies and brokers and investigate, prosecute, and convict traffickers; refine procedures to identify potential victims among vulnerable groups, including returning migrant workers, persons in prostitution, and fishing vessel crewmembers; train marine ministry staff and labor inspectors on victim identification and referral procedures; provide anti-trafficking training for judges, prosecutors, police, and social workers; take steps to eliminate recruitment fees charged to workers by labor recruiters; proactively offer identified victim reintegration services; promote safe and legal migration with trafficking prevention measures; increase resources for the anti-trafficking task force and improve its coordination across ministries; establish a data collection system to track anti-trafficking efforts at all levels of law enforcement; train hospital staff and other health care providers about provisions guaranteeing government-funded care for trafficking victims; and create a national protocol that clarifies roles for prosecuting trafficking cases outside victims' home provinces.

PROSECUTION

The government increased law enforcement efforts. The 2007 anti-trafficking law criminalized all forms of labor trafficking and sex trafficking of adults and prescribed penalties of three to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking.

Corrupt officials reportedly continued to facilitate the issuance of false documents, accepted bribes to allow brokers to transport undocumented migrants across borders, protected venues where sex trafficking occurred, practiced weak oversight of recruitment agencies, and thwarted law enforcement and judicial processes to hold traffickers accountable. However, the government did convict an immigration official under the 2007 anti-trafficking law and sentenced him to six years in prison in June 2017.

The government ratified the ASEAN Convention against Trafficking in Persons, Especially Women and Children, through passage of Law No.12/2017. The Law expanded the government's authority to prosecute suspects for illegal recruitment and provided a legal basis for Indonesian law enforcement agencies to collaborate with other ASEAN countries.

Officials reported ineffective coordination among police, witnesses, prosecutors, and judges continued to hinder the government's ability to investigate, prosecute, and convict traffickers, especially when cases involved numerous jurisdictions or other countries. The national police anti-trafficking unit did not have a mechanism to track trafficking investigations at the national, provincial, and district level, making it difficult to determine the total number of investigations and resolved cases. The police reported 123 new trafficking investigations in 2017, up from 110 in 2016. The national police also reported referring 51 investigations to the attorney general's office in 2017. The Supreme Court implemented a comprehensive prosecutorial recordkeeping mechanism, but statistical discrepancies continued due to lack of coordination with law enforcement entities, whose own informal self-monitoring practices remained underdeveloped. The Supreme Court reported 407 new trafficking prosecutions during 2017, an increase compared to 263 reported the previous year and a result of improved data collection. The Supreme Court also reported 324 convictions, compared to 190 in the previous year; sentences ranged from two and a half years up to seven years.

The Attorney General's Office conducted training for 580 prosecutor candidates and coordinated with an NGO to create trafficking guide books for law enforcement officials. Other ministries provided training for law enforcement from nine provinces, including 22 districts in East Nusa Tenggara (NTT), as well as for 71 members of the illegal fishing task force.

PROTECTION

The government maintained protection efforts. Although officials at the national level did not collect comprehensive data, they identified 5,801 victims. The Commission for the Protection of Children officially identified 293 suspected child trafficking victims. However, the government did not report if identification led to investigations or the provision of victim protective services. A local NGO estimated as many as 80,000 children were exploited for sex trafficking in 2017.

A draft law on the protection of domestic workers in Indonesia continued to stall in the national legislature. An international organization reported trafficking victims were often unaware of government reintegration services, including training on how to start a small business, and follow-up services for victims who had departed shelters remained insufficient. The Ministry of Health (MOH) was responsible for funding victims' health care, which national police hospitals were obligated to provide free of charge. The MOH trained hospital personnel to provide health services to victims of trafficking and violence in 12 provinces during 2017, including physical and psychological treatment by trained paramedics and health service personnel at community health centers and hospitals.

The government's overseas crisis center complaint system received 4,475 complaints from workers placed overseas, including 71 confirmed trafficking cases and 2,430 cases with trafficking indicators. Although the government reportedly initiated investigations based on these complaints, the government did not report the results. Seven ministries jointly finalized a screening form for staff at Indonesian embassies overseas to identify trafficking victims and as a reference in trafficking-related investigations. In May 2017, the national police and the Attorney General's Office, supported by the Indonesian embassy in Kuala Lumpur, used the screening form to identify 40 Indonesian trafficking victims. The government repatriated 340 suspected trafficking victims from overseas, compared with 602 in 2016. The government provided returning victims with short-term shelter and reintegration assistance, and it referred them to local government entities for further care.

The government's witness protection unit provided legal assistance to approximately 257 trafficking victims, compared to 165 in 2016. Since multiple agencies provided legal assistance with varying degrees of adherence to recordkeeping protocols, the total number who received such aid is unknown. In August 2017, the Supreme Court issued a decree on Guidelines to Prosecute Women Facing Legal Cases. The guidelines specify that judges should protect female victims during the case review, conviction, and judicial review phases of legal processes by considering gender equality and psychological trauma. The decree also included guidelines to prevent re-traumatization by allowing video testimony. The government facilitated restitution payments for 54 victims during the year. There were no reports that the government punished victims for crimes committed as a result of being subjected to trafficking, but inadequate efforts to screen vulnerable groups for trafficking indicators, including during raids to arrest persons in prostitution or combat illegal fishing, may have resulted in the punishment or deportation of unidentified trafficking victims. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution.

PREVENTION

The government increased efforts to prevent trafficking. The national task force maintained 32 provincial-level task forces and 191 local and district-level task forces. The national task force held meetings in three provinces, attended by officials from 33 provinces, culminating in December 2017 with an evaluation of implementation of the plan of action. However, insufficient funding and lack of coordination within and between local task forces and with the national task force at times impeded anti-trafficking efforts.

In October 2017, the government passed amendments to an overseas worker law that added sentencing guidelines for illegal recruitment crimes and limited the role of private recruitment and placement agencies by revoking their authority to obtain travel documents for migrant workers.

The Indonesian consulate in the Malaysian state of Penang negotiated an agreement with several Malaysian companies to implement an electronic banking payment system to reduce Indonesian migrant workers' vulnerability to exploitation or extortion.

To better protect Indonesian fishermen, the Ministry of Maritime Affairs and Fisheries (MMAF) began enforcing several new regulations to combat trafficking. The regulations obligated Indonesian fishery businesses to comply with international human rights protection standards, such as on work health and safety, recruitment, and security, and compliance became a prerequisite for obtaining permits for fish capture. The MMAF also started requiring state-owned fishing companies to include the regulations in their company by-laws and internal policies. An additional MMAF regulation allowed the government to apply a standardized work contract for Indonesian fishermen who work on domestic and foreign fishing vessels in both Indonesian and international waters.

To address child trafficking, the government, in conjunction with two local NGOs, implemented the "Count Every Child Project," which ensured children are issued identity documents, such as birth registrations, thereby decreasing their vulnerability to trafficking. A recent World Bank study concluded Indonesia's

high number of undocumented migrant workers was partly a result of its cumbersome bureaucratic registration procedures, which incentivized migrant workers to seek illegal brokers to obtain identity documents and visas for travel.

The Ministry of Labor (MoL) broadened its efforts to reach domestic workers seeking employment abroad with specific training in domestic service skills and guidance on how to avoid traffickers and unlicensed brokers. Domestic workers employed in Indonesia also received training from the Association of Training and Placement for Domestic Workers Across Indonesia (APPSI). In 2017, the Batam Immigration Office rejected 511 passport applications from applicants intending to use their passports to work overseas illegally. Additionally, the MoL reported it foiled the departure of 1,310 overseas workers and revoked the license of one recruitment agency.

In December 2017, the MFA re-launched its Safe Travel Application, which allowed the ministry to track identity and employment details of migrant workers abroad. The app featured a panic button that enabled vulnerable migrant workers abroad to request local assistance when in distress. It also contained contact information for Indonesian consulates and embassies around the world.

Although the government continued its ban on overseas placement to 21 Middle East and North African nations, in October 2017, Indonesia and Saudi Arabia reached an agreement to permit Indonesian migrant workers to apply for visas in the domestic sector and announced a 24-hour protection mechanism that enabled Indonesian migrant workers to seek assistance for contract switching. With a legal avenue to seek work in Saudi Arabia, migrant workers were less likely to seek the assistance of illegal recruiters and become trafficking victims.

The MFA conducted public awareness campaign programs in eight migrant worker source regions and in China. The ministry also organized 10 national radio talk shows and distributed printed material to 16 regencies in Indonesia. The Ministry of Tourism conducted public awareness campaigns to prevent sex tourism and initiated community empowerment programs to prevent the sexual exploitation of children and women. The government also collaborated with 10 universities to disseminate information about safe migration to people seeking employment abroad; more than 2,500 students joined the information sessions.

The government provided anti-trafficking training for military personnel prior to their deployment abroad on international peacekeeping missions, and it conducted training on trafficking victim identification and domestic migrant worker protections for diplomatic personnel.

The MFA partnered with South Africa to create a pilot program to assist Indonesians working on foreign fishing vessels. The program collected data through a dedicated center with fishermen and was intended to help the MFA monitor Indonesian fishermen overseas to prevent trafficking. Officials plan to expand the program to Mauritius and other locations with high numbers of visiting Indonesian fishermen.

TRAFFICKING PROFILE

As reported over the past five years, Indonesia is a major source, and to a much lesser extent, destination and transit country for women, men, and children subjected to forced labor and sex trafficking. Each of its 34 provinces is a source and destination of trafficking. The government estimates 1.9 million of the 4.5 million Indonesians working abroad—many of whom are women—are undocumented or have overstayed their visas, increasing their vulnerability to trafficking. The actual figure is likely higher, as a significant number of migrant workers traditionally circumvent government overseas placement and permitting requirements, often at the instigation of traffickers. A significant number of Indonesians are exploited in forced labor and debt bondage in Asia and the Middle East, primarily in domestic service, factories, construction, and manufacturing, on Malaysian palm oil plantations, and on fishing vessels throughout the Indian and Pacific Oceans. Malaysia remains the top destination for Indonesian migrant workers; the government estimates more than one million of the 1.9 million Indonesian workers in irregular status are in Malaysia.

Indonesian women and girls are subjected to sex trafficking, primarily in Malaysia, Taiwan, and the Middle East. Domestic workers account for the biggest group of Indonesian women who work in Indonesia as well as Singapore, Malaysia, Hong Kong and the Middle East, but they are not considered formal workers and are unprotected under local labor laws. Excessive working hours, lack of a formal contract, and unpaid wages are some of the most common abuses Indonesian domestic helpers face.

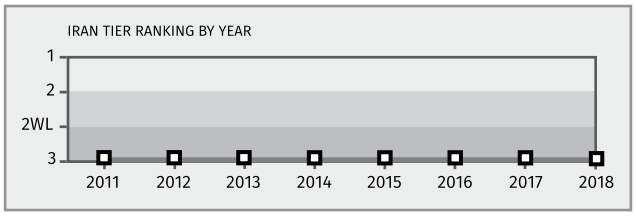
NGOs estimate labor recruiters are responsible for more than half of Indonesian female trafficking cases overseas. Migrant workers often accumulate significant debt from both Indonesian and overseas labor recruitment outfits, making them vulnerable to debt bondage. Some companies use debt bondage, withholding of documents, and threats of violence to keep migrants in forced labor. Endemic corruption among government officials facilitates practices that contribute to trafficking vulnerabilities in the travel, hospitality, and labor recruitment industries.

In Indonesia, women, men, and children are exploited in forced labor in fishing, fish processing, and construction; on plantations, including palm oil; and in mining and manufacturing. Many women and girls are exploited in domestic servitude and sex trafficking. Victims are often recruited with offers of jobs in restaurants, factories, or domestic service, but are subjected to sex trafficking. Debt bondage is particularly prevalent among sex trafficking victims. Women and girls are subjected to sex trafficking near mining operations in Maluku, Papua, and Jami provinces. Child sex tourism is prevalent in the Riau Islands bordering Singapore, and Bali is a destination for Indonesians traveling to engage in child sex tourism.

Indonesian fishermen working on foreign-flagged vessels reported pervasive abuse, forced labor, unpaid salaries, and, in some cases, allegations of murder. They worked on Taiwan, Thai, Malaysian, and Philippines-flagged fishing vessels operating in Indonesia and in the waters of Thailand, Sri Lanka, Mauritius, and India. Dozens of recruitment agencies in Burma, Indonesia, and Thailand hire fishermen, assign them fake identity and labor permit documents, and force them to fish long hours in waters for low or unpaid salaries while incurring severe physical abuse. The fishermen were prohibited from leaving their vessels and reporting these abuses by threats of exposing their fake identities to the authorities or by detaining them on land in makeshift prisons. More than 7,000 Indonesian fishermen per year sign in and out of foreign vessels at the port in Cape Town, South Africa, reportedly facing dire working conditions, particularly on vessels owned by Taiwan, Korea, and Japan.

IRAN: TIER 3

The Government of Iran does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Iran remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including steps to ratify the UN Convention against Transnational Organized Crime (UNTOC). However, the government did not share information on its overall anti-trafficking efforts. Trafficking victims reportedly continued to face severe punishment, including death, for unlawful acts committed as a direct result of being subjected to trafficking. Government officials were allegedly complicit in the coerced recruitment of Afghan men and boys as young as 13 years old residing in Iran to fight for Iranian-supported militias operating in Syria. The Iranian government also provided financial support to militias fighting in Iraq that recruited and used child soldiers. Despite these credible reports, the government did not investigate or hold any complicit officials accountable for their involvement in trafficking crimes.



RECOMMENDATIONS FOR IRAN

Cease the forcible and otherwise illegal recruitment of adults and children for combat in Syria, and cease support for armed militias that recruit and use children in Iraq; ensure trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking; institute procedures to proactively identify trafficking victims, particularly among vulnerable populations such as persons in prostitution, street children, and undocumented migrants; while respecting due process, investigate, prosecute, convict, and adequately sentence sex trafficking and forced labor perpetrators, including complicit officials; offer specialized protection services to trafficking victims, including shelter and medical, psychological, and legal assistance; develop partnerships with civil society and international organizations to combat trafficking; increase transparency of anti-trafficking policies and activities; and become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report anti-trafficking law enforcement efforts and officials continued to be complicit in trafficking crimes, including the coerced recruitment and use of adults and children in armed conflict in the region. Iranian law did not criminalize all forms of trafficking. A 2004 law criminalized trafficking in persons by means of threat or use of force, coercion, abuse of power, or abuse of a victim's position of vulnerability for purposes of prostitution, slavery, or forced marriage. The prescribed penalty under this law is up to 10 years imprisonment for the trafficking of adults and a penalty of 10 years imprisonment if the offense involved a child victim. Both penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for kidnapping. The 2002 Law to Protect Children and Adolescents prohibited buying, selling, and exploiting children; the punishments for such crimes are six months to one year imprisonment and a fine, which were not sufficiently stringent nor commensurate with other serious crimes such as kidnapping. The constitution and labor code prohibited forced labor and debt bondage, but the prescribed penalty of a fine and up to one year imprisonment is not sufficiently stringent. Courts accorded legal testimony by women only half the weight accorded to the testimony by men, thereby restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, faced prosecution for adultery, which is defined as sexual relations outside of marriage and is punishable by death.

The government did not report statistics on investigations, prosecutions, convictions, or sentences of traffickers. A report from the Human Rights Activists News Agency (HRANA) in July 2017, however, noted a court in Tehran sentenced 10 perpetrators to 10 years imprisonment each for their involvement in a trafficking network. There was no evidence the government held complicit officials accountable for trafficking offenses, despite continued reports that officials were directly involved in or condoned alleged cases of trafficking. Multiple reports alleged that Iran's Islamic Revolutionary Guard Corps (IRGC) and officials from other government institutions continued to actively recruit and use—through threats of arrest and deportation—Afghan immigrant men and children as young as 13 years old for combat in IRGC-organized and commanded militias in Syria. The government did not report providing anti-trafficking training to its officials.

PROTECTION

The government made negligible efforts to identify and protect trafficking victims. The government did not report identifying any trafficking victims during the reporting period. In July 2017, a report from HRANA noted that officials identified 800 women victimized by a trafficking network during the course of an investigation; however, it was unknown if the government provided the victims with appropriate protection services. The government reportedly continued to punish trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution and illegal immigration. The government continued to hold migrants, some of whom may be trafficking victims, in detention centers and jails pending deportation where some experienced severe physical abuse that sometimes led to death. As in previous years, the government reportedly continued to severely punish victims of sexual abuse and women in prostitution, some of whom may be trafficking victims, through lashings, public shaming, forced confessions, and imprisonment. During the reporting period, officials reportedly detained and deported Afghan migrants, including children, who did not comply with coerced recruitment by Iranian officials to fight in Syria. In December 2017, government officials in Tehran rounded up and detained in camps 300 Iranian and foreign street children, a population vulnerable to trafficking.

The government did not provide comprehensive protection services for trafficking victims. The Iranian state welfare organization reportedly operated emergency centers for vulnerable populations, including those at risk of trafficking, which offered counseling, legal services, and health care; however, the government did not report if it assisted any trafficking victims at these centers in 2017. Though government-operated health clinics reportedly offered health services to potential trafficking victims, the government did not report if it provided services to any victims in these clinics in 2017. The

government did not report providing support to NGOs that offered limited services to populations vulnerable to trafficking. The government did not encourage trafficking victims to assist in the investigation or prosecution of traffickers and did not provide witness support services. It did not provide foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

The government made negligible efforts to prevent human trafficking. The government's lack of efforts to prevent complicity further exacerbated trafficking in the country and the region. The government made no efforts to prevent its officials from recruiting Afghan men and boys through coercive means to serve in combat brigades deployed to Syria. The government did not have a national anti-trafficking coordinating body, nor did it dedicate resources to address human trafficking in the country, despite reports that suggested trafficking—particularly child sex trafficking—was increasing in Iran. The government did not improve transparency on its anti-trafficking policies or activities, nor did it make discernible efforts to partner with NGOs or international organizations to combat human trafficking. The government did not report on efforts to regulate foreign labor recruiters for fraudulent recruitment practices. The government made no discernible efforts to reduce the demand for commercial sex acts, forced labor, or child sex tourism by Iranian citizens traveling abroad. The government did not implement anti-trafficking awareness campaigns. Children of Afghan refugees—either registered or unregistered—continued to have difficulty obtaining legal documentation, while children born to Iranian mothers and non-Iranian fathers were not Iranian citizens under law and therefore remained undocumented; these policies increased these populations' vulnerability to exploitation. In 2017, the government agreed to strengthen cooperation with the governments of Azerbaijan and Turkey to combat terrorism, violent extremism, and other transnational organized crimes, including human trafficking. In January 2018, the Iranian parliament approved a bill to join the UNTOC; however, the government did not ratify it. Iran is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian women, boys, and girls are vulnerable to trafficking in Iran, Afghanistan, the Iraqi Kurdistan Region (IKR), Pakistan, Turkey, the United Arab Emirates (UAE), and Europe. In 2016 and 2017, there was a reported increase in young Iranian women in prostitution in Dubai; some of these women are trafficking victims, experiencing confiscation of passports and threats of violence. Reports suggest that Iranian women are also vulnerable to sex trafficking in Turkey, particularly in Turkish cities close to the Iranian border. Media reports from 2015 and 2016 noted Iranian girls were subjected to sex trafficking in brothels in the IKR, especially Sulaimaniya; in some cases this exploitation was facilitated by Iranian trafficking networks. The media and regional experts reported in 2015 that officials from the Kurdistan Regional Government were among the clients of these brothels. Some Iranian women who seek employment to support their families in Iran, as well as young Iranian women and girls who run away from their homes, are vulnerable to sex trafficking. The use of "temporary" or "short-term" marriages, lasting from one hour to one week, for the purpose of commercial sexual exploitation, is reportedly widespread in Iran. Reports suggest that police and other Iranian authorities, religious clerics, and parents of victims are allegedly involved in or turn a blind eye to sex trafficking crimes. According to a regional scholar, trafficking rings reportedly use Shiraz, Iran, as a transit point to bring ethnic Azeri girls from Azerbaijan to the UAE for commercial sexual exploitation.

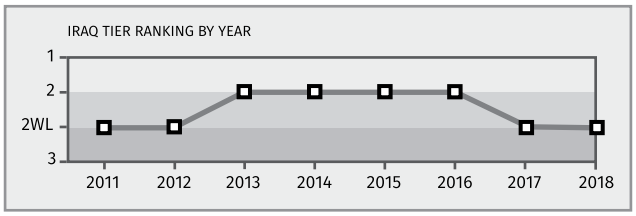
Street children in Iran are highly vulnerable to trafficking. The number of children working in transport, garbage and waste disposal, brick factories, construction, and the carpet industry is reportedly increasing; these children may be exposed to harmful working conditions and some may be vulnerable to trafficking. Organized criminal groups kidnap or purchase and force Iranian and migrant children, especially undocumented Afghan children, to work as beggars and street vendors in cities, including Tehran. These children, who may be as young as three years old, are coerced through physical and sexual abuse and drug addiction. Reports indicate that some children are also used in illegal activities, such as drug trafficking and smuggling of fuel and tobacco.

Afghan migrants, including women and children, are highly vulnerable to forced labor, debt bondage, and sex trafficking, while Pakistani migrants are also vulnerable to forced labor in Iran. Afghan girls are vulnerable to forced marriage with men living in Iran, which frequently led to forced labor, domestic servitude, and commercial sexual exploitation. Afghan boys in Iran are vulnerable to forced labor in the service industry, such as car washing, domestic work, and drug trafficking, experiencing debt bondage, non-payment of wages, and physical or sexual abuse. Afghan boys in Iran are also vulnerable to sexual abuse by their employers and harassment or blackmailing by the Iranian security services and other government officials. Traffickers subject Afghan migrants, including children, to forced labor in construction and agriculture in Iran. Trafficking networks smuggle Afghan nationals living in Iran to Europe and force them to work in restaurants to pay off debts incurred by smuggling fees. Pakistani men and women migrants in low-skilled employment, such as domestic work and construction, are targeted by organized groups and subjected to forced labor, debt bondage, restriction of movement, non-payment of wages, and physical or sexual abuse. Increasingly, despite labor code protections for registered foreign workers, employers seek adjustable contracts that increase these workers' vulnerability to exploitative work practices such as coerced overtime and denial of work benefits.

An international organization and the media continue to report the Iranian government coerced male adult and child Afghans resident in Iran, including boys as young as 13 years old, to fight in Iranian-sponsored Shia militias deployed to Syria by threatening them with arrest and deportation to Afghanistan. Since 2015, the Iranian government has provided funding to the militia Asa'ib Ahl al-Haq (AAH) —also known as the League of the Righteous—operating in Iraq; according to civil society organizations and local contacts in Iraq in 2017, certain brigades within the AAH recruited children mostly out of schools for use in combat. In 2015 and 2016, AAH reportedly organized training camps in southern Iraq for high school and university students, some of whom may have been under the age of 18. According to an Iraq-based source in 2016, the Iranian government also provided funding to the militia Abu Fadhl al-Abbas Brigades, which used children in combat on the front-line in Fallujah, Iraq in 2016.

IRAQ: TIER 2 WATCH LIST

The Government of Iraq does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting and convicting more traffickers and investigating some complicit officials. It also reported identifying more trafficking victims in comparison to the previous reporting period. The government established a national inter-ministerial committee to monitor, evaluate, and report on children in armed conflict in Iraq, which included child soldiering. However, the government did not demonstrate increasing efforts compared to the previous reporting period; therefore Iraq remained on Tier 2 Watch List for the second consecutive year. Although the government identified trafficking victims, deficiencies in the government's identification and referral procedures prevented many victims from receiving appropriate protection services; the government-run trafficking shelter in Baghdad reportedly remained empty throughout 2017. The government did not investigate allegations that some militia units unlawfully recruited and used child soldiers in 2017, including units of the Popular Mobilization Forces (PMF) operating under the Popular Mobilization Committee (PMC), a component of the Iraqi armed forces. The government did not hold anyone criminally accountable despite several years of such allegations. The government continued to punish some trafficking victims for crimes committed as a result of being subjected to trafficking, such as child soldiering, prostitution, and immigration violations.



RECOMMENDATIONS FOR IRAQ

Hold complicit officials accountable for unlawful recruitment and use of child soldiers and provide protection services to child soldiers and other trafficking victims; continue to make efforts to stop the recruitment and use of child soldiers by all armed groups, including units of the PMF and independent militias; ensure trafficking victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as prostitution and immigration violations; allow all first responders to officially identify potential trafficking victims and refer them to care regardless of whether a victim presses charges against his or her trafficker; develop and institute guidelines for proactive victim identification and referral to protection services for all relevant officials, and train officials on these procedures; increase unhindered access to adequate protection services for victims of all forms of trafficking and their children, including trauma and psycho-social counseling, and medical care, long-term shelter, reintegration services, employment training, and financial assistance; amend the anti-trafficking law to prohibit and punish all forms of trafficking consistent with the 2000 UN TIP Protocol; allow victims and witnesses to participate in legal proceedings against their traffickers; make significant efforts to investigate, prosecute, convict, and stringently sentence traffickers, including complicit government officials, even when victims do not press charges or participate in legal proceedings against their trafficker; finalize regulations to enable full implementation of the anti-trafficking law; establish a legal framework for NGOs to operate shelters for victims and support such organizations; and establish and implement a legal framework in the entire country, including the Iraqi Kurdistan Region (IKR), that criminalizes all forms of human trafficking and prescribes sufficiently stringent penalties.

PROSECUTION

The government increased law enforcement efforts, but it failed to prosecute or convict officials complicit in trafficking, including sex trafficking and child soldiering. Iraq's 2012 anti-trafficking law criminalized some forms of labor and sex trafficking. Inconsistent with the definition of trafficking under international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. Additionally, the law required an individual to be sold to be considered a trafficking victim. An article in the penal code criminalized "the prostitution of a child" and provided a penalty of up to 10 years imprisonment, which was sufficiently stringent to deter the crime, although not commensurate with the penalties prescribed for rape. The anti-trafficking law prescribed penalties of up to 15 years imprisonment and a fine of up to 10 million Iraqi dinars ($8,580) for trafficking offenses involving adult male victims, and up to life imprisonment and a fine of 15 million to 25 million Iraqi dinars ($12,860 to $21,440) if the offense involved an adult female or child victim. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The labor law conflicted with the anti-trafficking law, as its penalties included a fine and imprisonment not exceeding six months, which were not sufficiently stringent. The government continued to lack implementing regulations for the anti-trafficking law, hindering its ability to enforce the law, bring traffickers to justice, and protect victims. The Kurdistan Regional Government (KRG) did not have a law that specifically prohibited all forms of human trafficking and the national anti-trafficking law did not apply in the IKR.

The government reported investigating 266 potential trafficking cases in 2017 (314 in 2016), of which the Ministry of Interior (MOI) determined 40 to be alleged forced labor cases and 68 to be suspected sex trafficking cases; it determined the remaining 158 cases did not involve human trafficking crimes. The MOI reported it prosecuted 68 individuals on trafficking charges and convicted 22 traffickers under the anti-trafficking law in 2017, but it did not provide additional details on these cases. The MOI also investigated 48 alleged perpetrators for knowingly soliciting sex trafficking victims, of which 10 were prosecuted and convicted for human trafficking crimes under the anti-trafficking law. These prosecution and conviction efforts demonstrated a significant increase in comparison to 17 prosecutions and convictions in 2016. Nevertheless, according to NGOs, the government did not initiate a trafficking prosecution unless a victim pressed charges, yet most victims did not do so because they did not know the identity of their trafficker or were fearful of retaliation. During the reporting period, the KRG reported it conducted 58 investigations into abuses against foreign workers, but it did not report prosecuting or convicting any trafficking perpetrators.

Significant concerns of alleged official complicity in trafficking crimes remained, including unlawful recruitment and use of child soldiers and sex trafficking. The government reported some efforts to investigate government officials complicit in

human trafficking offenses, but it did not report efforts to prosecute or convict complicit officials. The government did not report efforts to investigate brothels across the country that civil society organizations believed to hold sex trafficking victims; local officials were allegedly aware of these brothels and allowed them to continue to operate. The government did not report efforts to investigate, prosecute, or convict alleged perpetrators of child soldiering among PMF units as reported in 2016. The government also did not report efforts to investigate allegations in 2017 that units of Asa'ib Ahl al-Haq (AAH) or Kata'ib Hizbullah (KH) militias—some of which operated under the PMC—recruited and used child soldiers.

In early 2017, Iraq's Higher Judicial Council repealed a directive from 2016 that established specialized courts in Iraq to handle trafficking cases; therefore during the reporting period the government did not offer specialized judges or court settings to oversee trafficking cases. During the reporting period, the MOI provided training for its personnel on the anti-trafficking law and victim identification, while the Baghdad Governor's Office partially sponsored an anti-trafficking training session with civil society organizations and various government ministries in September 2017.

PROTECTION

The government increased efforts to identify trafficking victims and provided limited protection services to some victims. Deficiencies in the government's identification and referral procedures prevented many victims from receiving care and therefore victims remained highly vulnerable to punishment for crimes committed as a direct result of being subjected to trafficking. The Iraqi government reported it identified 41 victims, which included seven child trafficking victims, 22 female victims of both sex and labor trafficking, and 12 male victims of forced labor in 2017. This represents an increase from the previous reporting period, as the government did not report identifying any victims in 2016. Of these victims, the MOI reported it referred five of the child victims to the Ministry of Labor and Social Affairs (MOLSA) for care, but it did not report if it referred the other identified victims to assistance. Government officials reported victim identification efforts remained low because, in practice, judges were the only officials who could officially identify and refer a trafficking victim to protection services; however, because judges required victims to testify in front of their perpetrators in court, most victims did not come forward due to their fear of retaliation. The government did not institute government-wide victim identification guidelines for all relevant officials and first responders who came in contact with potential trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in prostitution. However, the MOI reported it utilized internal procedures to guide law enforcement officials in identifying trafficking victims. The MOI also reported it trained personnel to identify potential labor trafficking cases. MOLSA reported it conducted periodic labor inspections of sites where foreign migrants were employed to ensure employers were not violating labor laws or committing potential labor trafficking crimes. It did not, however, report if any of these inspections resulted in the identification of labor trafficking victims during the reporting period.

Trafficking victims in Iraq and the IKR continued to be vulnerable to arrest, imprisonment, and deportation for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution, immigration violations, and child soldiering. In May 2017, an international organization reported that unidentified PMF militia members detained, interrogated, and physically abused a 15-year-old boy for two days for alleged affiliation with ISIS, after he was caught fleeing ISIS-controlled area in west Mosul; there was no indication authorities screened the boy for trafficking or referred him to victim care. Local experts reported concerns that a significant number of sex trafficking victims faced criminal prosecution during the reporting period. Sources reported that in some instances, judges wrongfully convicted sex trafficking victims of committing prostitution violations that they were forced to commit, including child sex trafficking victims. Sentences for prostitution violations in Iraqi courts ranged from 15 years to life imprisonment, and applied to both adults and children. During the reporting period, foreign labor trafficking victims were vulnerable to paying immigration fines, and the MOI reported that trafficking victims could face penalties for using falsified documents.

Although the anti-trafficking law required the government to institute a formal referral process to refer victims to protection services, in practice, government officials did not regularly refer identified victims to care, likely due to deficiencies in the government's identification procedures. The Iraqi government and the KRG provided limited protection services to victims of all forms of trafficking, and victim care varied by location. The Iraqi government re-opened a MOLSA-run trafficking shelter in Baghdad in August 2017, which was closed in 2016 due to security concerns. Fifteen specially-trained employees staffed the shelter and it was available for male, female, and child victims. MOI reported that it referred five child trafficking victims to this shelter in 2017; however, as of December 2017, NGOs reported the shelter remained unused during the reporting period. MOLSA reported it provided care for 25 children with familial ties to ISIS during the reporting period, but it did not report what type of support it provided, nor did it report funding specific programming to demobilize former ISIS child soldiers. The Iraqi government did not provide funding or in-kind assistance to NGOs providing victim care. NGOs were not allowed to legally operate shelters, but some continued operation without official approval. The KRG continued to operate three shelters in the IKR for female victims of domestic violence and trafficking; however, shelter space and service delivery were limited and the shelters primarily served domestic violence victims. Trafficking victims were always required to report trafficking or other crimes to the police first, which prevented them from receiving assistance at the shelters. The KRG did not report how many trafficking victims received services at these shelters during the reporting period. Recognizing gaps in protection services, the KRG entered into an agreement with a civil society organization in March 2017 to open a new shelter that would provide psycho-social support services for victims of trafficking and gender-based violence; although the shelter did not open during the reporting period, the agreement stipulated that the KRG will provide the facility with security, food, medical care, and administrative staff.

The Iraqi government reported it provided services and compensation for victims of ISIS crimes of sexual violence and provided survivors with protection, rehabilitation, compensation, and other forms of support. The Iraqi government reported it allocated 1 billion Iraqi dinar ($857,630) for Yezidi victims in 2017; however, hundreds of rescued Yezidis reportedly did not receive compensation. The KRG continued to provide limited essential services to victims of ISIS, including shelter, rehabilitation, medical care, and psycho-social assistance. In 2017, the KRG facilitated and funded the release of 356 Yezidis held captive by ISIS, most of whom were likely trafficking victims.

The MOI reported that any foreign or Iraqi trafficking victim could file a civil lawsuit against a trafficker, but no victims filed such lawsuits in 2017. Neither the Iraqi government nor the KRG encouraged victims to assist in investigations and prosecutions of trafficking offenders. The Iraqi government and the KRG did not provide foreign victims relief from deportation or offer legal alternatives to their removal to countries in which they may face hardship or retribution. Although the Iraqi anti-trafficking law allowed for the government to provide special residency status benefits to foreign trafficking victims, it did not report offering this assistance to any victims during the reporting period. The KRG did not offer special residency status to victims during the reporting period, but it reportedly refrained from deporting victims unless they committed a crime. The Iraqi government reported that it did not assist in the repatriation of any trafficking victims during the reporting period. The KRG reported it cooperated with the consulates of Egypt, India, Jordan, the Philippines, and Sudan to help repatriate an unknown number of trafficking victims from those countries during the reporting period.

PREVENTION

The government made some efforts to prevent human trafficking. Iraqi law prohibited voluntary recruitment of any person under age 18 into the governmental armed forces, including governmental paramilitary forces, militia groups, or other armed groups. However, the federal government faced challenges in exercising complete control over certain units of the PMF, which sometimes undertook operations independent of political leaders or military commanders and discounted the authority of commanders during sanctioned operations. The government had limited ability to address and prevent the recruitment and use of children by these groups, including some units of AAH and KH militias. The government also did not prevent PMF units in southern Iraq from child recruitment and sponsoring military training camps for high school students, which included some children under the age of 18. However, to dissuade PMF commanders from accepting children who volunteered to fight, the government refused to enroll child volunteers in payment programs and did not provide salaries for any child volunteers. There were no reports of child soldiers used within the Iraqi military including the KRG Peshmerga, and the government continued to provide training to military officers on child soldier issues. In November 2017, the government—with prime ministerial endorsement—established a national inter-ministerial senior committee to monitor, evaluate, and report on children's rights violations in conflict zones in Iraq. Under the authority of the committee, which was led by MOLSA, the prime minister's office supported a future initiative to work with an international organization to draft a national action plan to address children in armed conflict. As of late January 2018, however, the committee had not met and the plan had not been drafted.

Budget shortfalls, internal conflict, and vast reconstruction needs limited the Iraqi government's ability to dedicate resources to combat trafficking, including resources for the assistance and protection of trafficking victims. Likewise, contacts in the IKR reported that KRG funding for anti-trafficking efforts was insufficient. Nevertheless, the Iraqi government's inter-ministerial anti-trafficking committee, which was led by the MOI, reportedly met five times in 2017. The KRG also maintained an anti-trafficking committee, which was established in 2016 and consisted of various ministries, including an international organization that played an observer role. The Iraqi government reportedly undertook awareness campaigns in print media, television, and radio, and through seminars at universities. The government continued to operate a 24-hour anti-trafficking hotline, but it did not report how many potential trafficking cases officials identified through this hotline. Similarly, the KRG operated a hotline where trafficking victims could seek assistance and report labor abuses. The Iraqi government did not make efforts to reduce the demand for commercial sex acts or child sex tourism. The Iraqi government and the KRG took efforts to reduce the demand for forced labor; both governments cooperated with each other to establish an online visa system to track migrant workers and their sponsoring companies to prevent employers from committing labor abuses. Both governments also coordinated to standardize work contracts to include labor rights information for foreign and Iraqi workers. The Iraqi government suspended the operations of 15 recruitment companies, blacklisted five, and imposed fines on seven during the reporting period. The KRG reported that it temporarily suspended the operations of 38 companies and imposed fines on six companies for trafficking allegations. The Iraqi government reported that it provided anti-trafficking training or guidance for its employees, including diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Iraq is a source and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. The violent conflict with ISIS exacerbated the population's vulnerability to trafficking, in particular women and children, although the government's territorial defeat of the terrorist group, announced December 9, 2017, has improved conditions for Iraqi civilians. Since January 2014, more than five million Iraqis have been displaced, with approximately 2.1 million still displaced as of April 2018. In addition, more than 248,000 Syrian refugees remained displaced in Iraq, the vast majority in the IKR. Since 2014, ISIS militants have kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yezidis, and continue to sell them to ISIS fighters in Iraq and Syria, where they are subjected to forced marriage, sexual slavery, rape, and domestic servitude. There are reports ISIS executed captives if they refused to marry fighters. The media has reported in the last few years that ISIS sold some captives to wealthy individuals in Gulf countries, and unverified reports suggested that some Yezidi captives have been moved to Syria, Turkey, and Saudi Arabia. ISIS maintained an organized system to buy and sell women and girls for sexual slavery, including sales contracts notarized by ISIS-run courts. In 2015-2017, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape and sex trafficking. Some became IDPs because ISIS still controlled their homelands. Those who remain IDPs continue to be highly vulnerable to various forms of exploitation, including re-trafficking.

Children remain highly vulnerable to forcible recruitment and use by multiple armed groups operating in Iraq, including—but not limited to—ISIS, the PMF, tribal forces, the Kurdistan Worker's Party (PKK), and Iran-backed militias. These children are also highly vulnerable to arrest, detention, and prosecution; at the end of March 2017, an international organization reported 943 children, including four girls, remained in detention on terrorism-related charges across the country. ISIS continues to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers; some of these children are as young as 8 years old and some are mentally

disabled. ISIS continues to train children at military training and indoctrination camps; numerous media reports and public videos show children attending these camps. In January 2017, international media and KRG sources reported that ISIS abducted 400 Yezidi children and trained them for combat roles, including as suicide bombers, while in the same month ISIS abducted 150 children from Tal Afar and forcibly recruited them into a training camp. As of early 2018, multiple sources reported the PKK and YPG operating in the IKR continued to recruit and use children. In mid-2017, international observers witnessed armed 16-year-old boys affiliated to the PKK. As reported by an international NGO in late 2016, the PKK and Sinjar Resistance Units—a Yezidi armed militia group—forcibly recruited and used Kurdish and Yezidi boys and girls, some as young as 12 years old, in combat and support roles in northern Iraq.

Since 2015, sources continue to report that PMF units recruit, use, and provide military training to children. An expert in Baghdad assessed that the rate of such recruitment and use of children did not change in 2017. Civil society organizations and local contacts reported in 2017 that posters commemorating minors who died while fighting for Shia militias were commonplace in Shia-majority areas of Baghdad and throughout southern Iraq. Most of the children who were celebrated for fighting allegedly fought for brigades of the AAH and KH militias. Some AAH and KH members or brigades recruit children, most commonly out of schools. Sources reported that AAH and KH militias, which had units both within the PMF and operating independently, recruited and used child soldiers in 2017. According to the PMF official social media site and posters in the street in mid-2017, the PMF offered military training courses to children and youth ages 15-25. In April 2017, an international organization received credible reports that Sunni tribal militias recruited 300 boys aged 15-17 from Kilo 18 IDP camp. In 2017, some IDPs reported that some Sunni tribal militias recruited children out of camps for military training, with the possibility of joining armed groups upon completing the training. In mid-2017, international observers witnessed five boys manning checkpoints at an IDP camp in Ninewa; whose security was reportedly run by an official that fell under the PMF. In August 2017, there were unverified reports that PMF militias provided a three-month military training to 100 Shia Turkoman teenage boys, between the ages of 13-18, in several Kirkuk governorate towns. In 2015 and 2016, multiple sources reported factions of the PMF used children in operations in Fallujah and other areas of the country, while PMF-affiliated media celebrated the service and sacrifice of child soldiers. An international organization reported a total of 57 children were recruited and used in 2016 by groups operating under the umbrella of the PMF, most of whom received military training and were deployed for combat, while 12 children were recruited by tribal mobilization groups, including from internally displaced persons camps. As reported in 2015 and 2016, some PMF groups accepted children into their ranks from poor neighborhoods in Basrah, who left school to "volunteer" for the PMF; many of them viewed this as fulfilling a religious duty, while others viewed it as a way to earn a living and gain greater social status. According to NGOs and tribal force commanders in 2015, children fighting with the PMF were unregistered and did not receive state benefits or regular salaries. In August 2016, an international NGO reported that Sunni tribal militias affiliated with the PMF recruited at least seven children from the Debaga IDP camp in northern Iraq; witness accounts reported that Iraqi Security Forces members facilitated the recruitment of children from the camp.

Refugees and IDPs face heightened risk of trafficking due to their economic and social vulnerability and lack of security and protections. NGOs report trafficking networks in the IKR target refugees and IDPs, operating with assistance from local officials, including judges, officials from the Asayish forces, and border agents. In 2015, members of the IKR Parliament and NGOs reported some personnel from the Asayish forces facilitated the sex trafficking of women and girls in Syrian refugee camps in the IKR, primarily in Domiz refugee camp, as well as sex trafficking of girls outside of the camps. In 2016, NGOs reported Asayish guards not only allowed men to enter a camp to solicit commercial sex with refugee girls, but the guards also solicited sex from the refugee girls, including granting them permission to leave the camp in exchange for sex. Reports from 2015 indicated IDPs and some Syrian refugee women were forced into prostitution by a trafficking network in hotels and brothels in Baghdad, Basrah, and other cities in southern Iraq after agents of the network promised to resettle them from the IKR; the women's children were also forced to beg on the street. Some women in IDP camps, whose family members have alleged ties to ISIS, are vulnerable to sexual exploitation and abuse by armed actors residing in the camps. Some Syrian refugee men enter into employment without legal work contracts in Iraq, which increased their vulnerability to trafficking. Some displaced Iraqi families reportedly sell their children to other families to secure better futures for them; these children are at risk of trafficking.

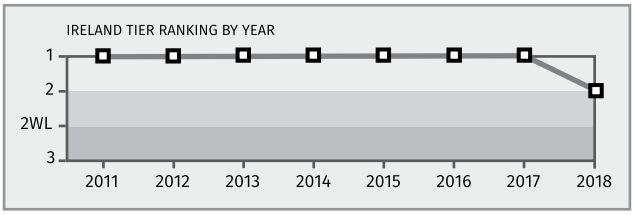
Traditional practices, including child forced and "temporary" marriages and *fasliya*—the exchange of family members to settle tribal disputes—also place women and girls at increased risk of trafficking within the country. For example, in October 2016, the media reported a girl from the Nada tribe in Maysan Province was forced to marry a man of another tribe as a resolution for the killing of a man by someone in the Nada tribe. Child protection organizations continue to report incidents of child marriage—which could increase a child's vulnerability to exploitation—increased among IDPs and Syrian refugees in the IKR, as heads of households sought ways to generate income and reduce the family's economic burden. Syrian girls from refugee camps in the IKR are forced into early or "temporary marriages" with Iraqi or other refugee men; some KRG authorities allegedly ignore, or may accept bribes to ignore, such cases, including those in which girls are sold multiple times. Reports continue to suggest some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking. Media and other observers reported in 2015 that an Iranian sex trafficking network operated brothels in Erbil where Iranian girls were exploited in commercial sex; the media reported a KRG official allegedly paid $3,000 for an Iranian sex trafficking victim. There were anecdotal reports, including from a June 2016 local television station, of child sex trafficking of girls primarily from Iran and Syria, as well as some from the IKR, in Sulaimaniya. NGOs also report cases in which girls who have run away from their families out of fear of honor killings are exploited in commercial sex by criminal networks. Criminal gangs reportedly force children to beg and sell drugs in Iraq. Trafficking networks also reportedly sell Iraqi children in neighboring countries and Europe for commercial sexual exploitation. Iraqi women and girls are also subjected to sex and labor trafficking in the Middle East and Turkey.

Some men and women from throughout Asia and East Africa who migrate to Iraq are subjected to forced labor as construction workers, security guards, cleaners, handymen, and domestic workers. Some foreign migrants are recruited for work in other countries in the region but are forced, coerced, or deceived into working in Iraq and the IKR. In January 2016, the MOLSA reported approximately 140,000 foreign workers lacked formal

work permits; NGOs reported some employers and recruitment agents exploit workers' illegal status by withholding salaries and subjecting workers to substandard living conditions. The Kurdistan Independent Human Rights Commission reported in January 2016 that 69 percent of 480 foreign workers surveyed in the IKR had not been paid their agreed salaries and 18 percent reported violent acts committed against them by their employers. The Commission reported that it did not issue a report in 2017 due to the KRG budget crisis.

IRELAND: TIER 2

The Government of Ireland does not fully meet the minimum standards for the elimination of trafficking; however it is making significant efforts to do so. The government made significant efforts to meet the minimum standards during the reporting period by collaborating in international investigations and increasing funding for victim services. However, these efforts were not serious and sustained compared to the efforts during the previous reporting period. The government has not obtained a trafficking conviction since the law was amended in 2013; it initiated only three prosecutions in 2017, and had chronic deficiencies in victim identification and referral. Therefore Ireland was downgraded to Tier 2.



RECOMMENDATIONS FOR IRELAND

Vigorously investigate, prosecute, and convict suspected offenders of both sex and labor trafficking using the trafficking law; train law enforcement and prosecutors on developing cases without reliance on victim testimony and train law enforcement, judges, and prosecutors on a victim-centered approach; improve victim identification and referral and issue a revised referral mechanism in coordination with NGOs, offering formal identification, a recovery and reflection period, and victim services to all victims without referral from police; increase efforts to identify and protect all victims, especially of labor trafficking and forced criminality; offer specialized accommodation to victims, particularly for women and traumatized victims; adopt a legal provision to exempt victims from inappropriate penalization for crimes committed as a direct result of their trafficking; increase legal assistance for trafficking victims, including for cooperation with investigations and court proceedings; establish a national hotline to report trafficking crimes and provide victim assistance and referral; explore new possibilities for victim compensation, particularly for those involved in sex trafficking; and establish an independent national rapporteur to help identify and address gaps in anti-trafficking strategy and efforts.

PROSECUTION

The government decreased law enforcement efforts. The 2008 Human Trafficking Act, amended in 2013, criminalized sex and labor trafficking and prescribed penalties up to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. The law broadly defined sexual exploitation to include the sexual abuse of children. The Criminal Justice (Sexual Offences) Bill 2015 was enacted in March 2017; it criminalized the purchase of sexual services and prescribed more severe penalties for the purchase of sex from a person subjected to trafficking. In such cases, the burden of proof shifted to the accused, who had to prove they were unaware the victim was subjected to trafficking. The Criminal Justice Bill included measures against child grooming and included additional support and protection for victims during the criminal trial process.

Authorities initiated investigations of 115 new trafficking-related cases in 2017, compared to 90 in 2016 and 91 in 2015. Most of these cases did not involve trafficking via force, fraud, and coercion for the purpose of exploitation. Of the 115 cases, 65 involved sexual exploitation, 37 involved labor exploitation, five involved forced criminality, five involved immigration offenses, one involved organized begging, and two were uncategorized. The government prosecuted three individuals for forced labor (nine prosecutions in 2016; zero in 2015; one in 2014). There were two additional trafficking cases with six perpetrators, including one subject to a European arrest warrant, awaiting trial. There was a third case in which law enforcement charged the perpetrator with forced labor, but the perpetrator was outside the jurisdiction; prosecutors had not indicted the perpetrator. The government did not report any convictions in 2017 for sex trafficking or forced labor under the anti-trafficking act; there were no convictions under this law since it was amended in 2013. GRETA expressed concern about the inadequate criminal justice response to trafficking in Ireland and noted that failure to convict traffickers and the absence of effective sentences can contribute to impunity and undermine efforts to support victims to testify.

During the reporting period, 140 police officers participated in a three-day training course on trafficking; 240 new probationary police officers received basic trafficking awareness training; and 19 national police who worked as immigration officers at a port checkpoint and 140 immigration officers stationed at an airport received trafficking awareness training. The national police trained 230 front-line social protection officers. An additional 40 senior investigating officers and 40 detective sergeants received trafficking training. Ten workplace relations commission inspectors received training on the identification of trafficking indicators in the reporting period; inspectors referred four suspected cases to the national police. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. Law enforcement cooperated with various foreign governments on trafficking investigations and executed two European arrest warrants. The high court ordered the extradition of one suspect.

PROTECTION

The government maintained insufficient victim protection efforts. Authorities identified 103 suspected trafficking victims (including four child victims), compared with 95 in 2016 and 78 in 2015. Of the victims identified in 2017, 63 were exploited in sex trafficking, 35 in labor trafficking, four in forced criminality, and one in forced begging; 68 were female and 35 were male. Victims identified in 2017 in Ireland included 28 Irish, 14 individuals from Romania, 12 from Indonesia, 12 from Nigeria, and the rest from Europe, Africa, South Asia, the Near East, and South America. Fifty percent of victims were EU nationals.

Experts raised concerns about the government's inability to identify trafficking victims due to shortcomings in its identification mechanism. Formal procedures for victim identification applied only to victims lacking legal residency in Ireland, namely foreign nationals from outside the European Economic Area (EEA) who were not asylum-seekers. EEA nationals, including Irish nationals, and asylum-seekers with pending applications were excluded from the formal identification scheme. As a result, such persons were not formally identified as suspected victims of trafficking, with implications for their access to victim services. Experts reported this practice deprived Irish and EEA nationals access to specialized assistance. The government maintained it assessed suspected victims on a "reasonable grounds" basis to allow them access to support and services, but NGOs and lawyers asserted national police required evidence beyond the "reasonable grounds" test when assessing victims. NGOs and other front-line responders did not have a formal role in the identification process; the police were the only entity with the authority to formally identify victims, which GRETA reported created a potential conflict of priorities between law enforcement efforts and victim assistance. The government reported reviewing the referral mechanism to identify areas for improvement, but did not issue a revised mechanism in 2017 as planned. The current national referral mechanism required potential victims give a formal statement to police to be formally identified as a suspected victim of trafficking. Law enforcement was required to refer victims before shelter and health services could be provided; victims unwilling to go to the police could not access assistance. Of the 103 victims identified by authorities, all were referred to services, although it was unclear how many were eligible to receive services due to Habitual Residency Condition restrictions.

The government's Reception and Integration Agency (RIA) and NGOs provided victims with health services, immigration permission, accommodation, welfare and rent allowance, police assistance, residence permits, repatriation, translation and interpretation assistance, and access to education for dependent children. There was no legally-mandated psychological assistance for victims of trafficking and the counseling services provided by NGOs was insufficient. NGOs reported a lack of specialized services to address the physical and mental health needs of victims. The government's legal aid board provided information to victims referred by police, but not legal assistance or support for investigations or trials. One government-funded NGO provided legal representation for victims. GRETA urged the government to ensure victims had early access to legal practitioners with specialized knowledge of trafficking who can represent them. The government-funded an NGO to repatriate one Irish and 12 foreign victims.

According to the government, in practice, domestic and foreign victims had equal access to all state services. Experts, however, asserted EEA foreign national victims were excluded from accessing social assistance support until they satisfied or were granted an exemption from the Habitual Residence Condition. The government reported receiving no complaints of refusals or evidence of cases where difficulties in satisfying the Condition arose for trafficking victims. There were no dedicated shelters for presumed victims of trafficking. Although the government provided accommodation arrangements for victims, NGOs stated the mixed-gender housing in the direct provision system, a system originally established to provide services for asylum-seekers, had inadequate privacy, was unsuitable and potentially unsafe for traumatized victims, could expose them to greater exploitation, and undermined victim recovery. Experts also noted a lack of specialized services in the centers for female victims who had been traumatized due to psychological, physical, or sexual violence. Suspected victims who were in the asylum process remained in direct provision accommodation while a determination was being made in relation to their claim for international protection, which could continue for years.

The government provided €310,000 ($372,150) to an NGO for assistance for sex trafficking victims, compared with €275,000 ($330,130) in 2016. The government also provided €50,000 ($60,020) to another NGO to assist labor trafficking victims, compared with €41,400 ($49,700) in 2016. The government also provided €76,400 ($91,720), to three NGOs for awareness and victim support projects for vulnerable populations, compared to €200,000 ($240,100) in 2016.

The government gave suspected foreign trafficking victims temporary relief from deportation, depending on cooperation with an ongoing investigation. Four victims were granted a six-month temporary residence permit. The temporary protection could evolve into permanent residency, and residency benefits were not linked to a conviction. Victims could theoretically obtain compensation through a court order, civil action, state bodies dealing specifically with work-related rights, and the criminal injuries compensation tribunal. No victims had ever received compensation through any of these means. NGOs criticized the lack of viable avenues for victim compensation, particularly those involved in sex trafficking since they would not have verifiable expenses or employment losses.

GRETA urged the adoption of a specific legal provision on the non-punishment of victims of trafficking in both its 2013 and 2017 reports, and, in 2015, the Irish high court found a need for protocols or legislation that dictate what happens when a victim was suspected of criminal activity; however, the trafficking law did not protect victims from prosecution for crimes committed as a result of being subjected to trafficking. NGOs noted the process for victims to seek immunity from punishment for criminal activity as a result of their trafficking was complex and required early legal representation. If authorities prosecuted an individual before he or she was formally identified as a trafficking victim, the criminal record could not be expunged. Bench warrants were issued for two victims, including one who had been referred to services. The national police previously revised their protocols and increased regional training on identifying trafficking in cannabis cultivation; the police included a human trafficking specialist in teams conducting these arrests. Police continued pre-trial reviews of three cases for possible trafficking indicators related to arrests and pre-trial detention in cannabis production; the government did not identify any victims or overturn any prosecutions as a result of approximately 70 reviews. In May 2017, the national police arrested and detained two Vietnamese males in one case for cannabis cultivation without a license. Media reports indicated one of the men was smuggled in a shipping container, had his passport confiscated upon arrival, and felt he could not leave the marijuana grow house. While undergoing a trafficking investigation, prosecutors charged these individuals and they pled guilty. While keeping the men in detention, the judge postponed their sentencing to await the result of the trafficking investigation, noting the case demonstrated a level of coercion and acknowledging the men were preyed upon. In April 2018, the courts found they were not victims and sentenced them to two and a half years in prison. NGOs maintained that in certain cases, law enforcement failed to identify indicators of trafficking and undocumented potential victims were punished for immigration-related offenses. Joint inspections between labor inspectors and immigration authorities intimidated

undocumented potential victims and posed a barrier to the identification of victims.

PREVENTION

The government maintained prevention efforts. The justice ministry's anti-trafficking unit coordinated interagency efforts, including the high-level interagency group, which met twice, and five working groups that included NGOs. Of the five working groups, which provided a platform for consultation and civil society, two of them met one time each during the reporting period. The government published in January a report on its efforts from 2016. The government continued funding a consortium of NGOs to develop trafficking training materials for staff of the RIA centers for asylum-seekers. The workplace relations commission provided information on employment rights to approximately 52,000 callers and made 54 presentations on employment rights. The government did not make efforts to reduce the demand for sex trafficking or forced labor. The government did not fund the operation of a national hotline. The national police had a dedicated email address for reports of trafficking; the police took action stemming from 31 emails.

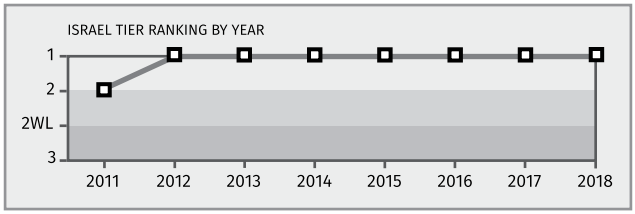
The government conducted awareness-raising for university students, social workers, diplomats, labor inspectors, migrant workers, and women's groups, among others. The Ministry for Foreign Affairs and Trade allocated €28,000 ($33,610) in funding to support capacity-building anti-trafficking work in Africa. An NGO criticized the government's immigration scheme for making crewmembers of Irish fishing fleets vulnerable to forced labor by linking sponsorship to a single employer and by limiting registration of existing workers to those who came forward within three months of the commencement date of the scheme. A parliamentary committee published a report recommending changes, including a moratorium on issuing permits to out-of-country non-EEA foreign nationals until the permit could be decoupled from a single employer and until the position of all in-country non-EEA nationals could be regularized. The committee also recommended a single department be given overall responsibility for the fishing industry.

TRAFFICKING PROFILE

As reported over the past five years, Ireland is a destination and source country for women, men, and children subjected to sex trafficking and forced labor, including forced criminal activity. Irish children are subjected to sex trafficking within the country. Foreign trafficking victims identified in Ireland are from Africa, Asia, and Eastern Europe. Authorities have reported an increase in suspected victims from Nigeria, Romania, Indonesia, Brazil, and Pakistan. Victims of forced labor have been identified in domestic work, the restaurant industry, waste management, fishing, seasonal agriculture, and car washing services. Vietnamese and Chinese men who have been prosecuted and sentenced for cannabis cultivation report indicators of forced labor, such as document retention, restriction of movement, and non-payment of wages. The government has reported the problem of forced labor in the country is growing. Women from Eastern Europe who are forced into marriage in Ireland are at risk for sex trafficking and forced labor.

ISRAEL: TIER 1

The Government of Israel fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Israel remained on Tier 1. The government demonstrated serious and sustained efforts by improving victim identification procedures and identifying an increased number of victims. It continued to operate shelters and other facilities that provided victims a wide variety of immediate and long-term care and rehabilitative services, and it referred all identified victims to care. The government continued to prosecute and convict sex trafficking offenders, and it prosecuted an increased number of perpetrators in comparison to the previous reporting period. Although the government met the minimum standards, it convicted a significantly lower number of sex trafficking offenders than in the previous reporting period, and it continued to issue weak sentences that were inconsistent with the seriousness of the crime. It also did not prosecute or convict any forced labor perpetrators. Despite improvements to victim identification procedures, some victims referred by NGOs did not receive appropriate protection services. While the government identified and provided some care to trafficking victims among the irregular African migrant population, because of inadequate screening procedures it continued to punish victims among this population for crimes committed as a direct result of being subjected to trafficking, such as immigration violations. The government also implemented policies that subjected potential trafficking victims among this population to deportation.



RECOMMENDATIONS FOR ISRAEL

Impose stricter sentences on convicted traffickers, consistent with the seriousness of the crime; proactively screen irregular migrants, particularly those who endured abuses in Egypt's Sinai Peninsula, to ensure trafficking victims among this population are not penalized, including by detention and summoning to detention, for unlawful acts committed as a direct result of being subjected to human trafficking; improve the process to officially recognize identified trafficking victims, including victims referred by NGOs, to allow for quicker access to protection services; increase methods of evaluating effectiveness of training for law enforcement, including police and prison officials, in victim identification, and enforcement of labor and sex trafficking laws; continue to provide protection for all trafficking victims, including shelter and medical and psycho-social treatment; increase and train the number of labor inspectors, social workers, and interpreters in the agricultural, construction, and caregiving sectors; negotiate full-scale bilateral labor agreements, to include protection mechanisms for workers, in the caregiving sector; and increase enforcement of foreign worker labor rights.

PROSECUTION

The government maintained efforts to prosecute sex traffickers

but it did not prosecute or convict any forced labor offenders; convicted sex traffickers continued to receive lenient sentences. The 2006 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 16 years imprisonment for the trafficking of an adult, up to 20 years imprisonment for the trafficking of a child. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law did not establish the use of force, fraud, or coercion as an essential element of the crime. Under 376A of the Penal Law 5737-1977, holding a person's passport against their will carried a penalty of three to five years imprisonment.

In 2017, police initiated 231 investigations of potential sex trafficking crimes, compared to 310 investigations in 2016. Police did not initiate any investigations for potential forced labor crimes. In 2017, the government initiated 10 prosecutions (four for adult sex trafficking crimes and six for child sex trafficking), but zero for forced labor; these numbers compared to three sex trafficking and zero forced labor prosecutions in 2016. In 2017, the government convicted three individuals (one for sex trafficking and two for child sex trafficking), but zero for forced labor; these numbers compared to 17 convictions in 2016 (16 for sex trafficking, including eight for child sex trafficking, and one for forced labor). In 2017, the prosecution unit within the Ministry of Interior's Population and Immigration Authority (PIBA) filed 143 criminal indictments against employers of foreign workers who violated labor laws that resulted in 114 sentences that included providing financial compensation to workers; however, none of these employers were prosecuted or convicted for potential forced labor crimes. In 2017, the government issued sentences for six sex trafficking offenders that ranged from community service to four to six years imprisonment, while one forced labor offender received a sentence of 15 months imprisonment. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

The government continued to provide extensive anti-trafficking training, awareness-raising workshops, and seminars to more than 320 officials. In addition, the government provided training to 130 police officers on child sex trafficking, and distributed materials on the offenses related to child sex trafficking to district investigation and intelligence officers and every police station in the country.

PROTECTION

The government increased protection efforts; however, it continued to punish identified and potential trafficking victims among the African migrant population for immigration violations, thereby preventing these victims from accessing appropriate protection services. The government continued to circulate trafficking victim identification guidelines widely to relevant ministries. Government officials referred more potential trafficking victims to the police during the reporting period, in comparison to previous years in which NGOs were the only source of victim referrals. The Israeli National Police (INP) granted official trafficking victim status to 73 individuals in 2017—including 24 women and 49 men—which was an increase from the 47 victims identified in 2016. The INP was the only government entity with authority to grant referred individuals official trafficking victim status, which also allowed a victim full access to protection services. During the majority of the reporting period, only one police officer in the country was authorized to interview and adjudicate applications for victim status, which led to significant delays. Recognizing this deficiency, in January 2018 the government appointed two full-time police officers to handle and process victim applications, with the intent of accelerating the process. In addition, during the reporting period, the National Anti-Trafficking Unit (NATU) coordinated with the INP to institute a fast-track procedure to more efficiently identify trafficking victims and eliminate a backlog of hundreds of applications for victim status. Nevertheless, an NGO reported that the INP's evidentiary standard for victim referrals from NGOs became stricter in 2017 by requiring witness testimony, thereby impeding efforts to officially recognize and provide at least 37 victims identified by an NGO with appropriate care.

The government continued to provide a wide range of protective services for victims of all forms of trafficking. The government continued to operate a 35-bed shelter for female trafficking victims, a 35-bed shelter for male trafficking victims, and transitional apartments with 18 beds for female victims and six beds for male victims. Shelter residents were allowed to leave freely and, by law, all victims residing in the shelters were provided B1 visas—unrestricted work visas. These shelters offered one year of rehabilitation services, including job training, psycho-social support, medical treatment, language training, and legal assistance. The INP referred all 73 identified victims to shelters, but some declined to enter a shelter and instead utilized rehabilitative services at a government-run day center. In 2017, the women's shelter assisted 41 victims, including four children; the men's shelter assisted 57 victims; and the transitional apartments assisted 24 men and women, including eight children. The majority of victims at the men's shelter were Ethiopian and Eritrean. The Ministry of Social Affairs continued to operate a day center in Tel Aviv for male and female trafficking victims who were either waiting for a space at a shelter or who chose not to reside at a shelter. The day center provided psycho-social services and food aid, and social workers at the center were trained to identify individuals at risk of trafficking and refer them to shelter services. In 2017, the center provided services to 256 men and women. The government also operated 12 centers for adult and child sex trafficking victims, which provided medical and rehabilitation services; the government assisted 350 individuals at these centers in 2017. Additionally, for identified trafficking victims who opted not to stay in shelters, the government continued to provide an official letter that protected them from potential arrest for immigration violations and emergency contact numbers for shelters and relevant ministries. Identified trafficking victims living outside of shelters were also entitled to receive one-year of free medical coverage at various government-funded health facilities. In 2017, the government provided medical care to 106 male and female trafficking victims.

The Ministry of Justice Legal Aid Administration (LAA) continued to provide free legal aid to trafficking victims. In 2017, the branch received 202 legal aid requests to assist potential trafficking victims, including 125 irregular migrants who may have been subjected to trafficking in the Sinai. In 2017, the government issued 20 initial B1 visas and 19 extensions to sex and labor trafficking victims. It also issued 65 visas preventing the deportation of trafficking victims and 25 extensions of such visas in 2017. The government continued to encourage victims to assist in the investigation and prosecution of their traffickers, but did not require their participation as a condition for receiving visas and protective assistance; victims could also opt to leave the country pending trial proceedings. The government also allowed trafficking victims to work during

the investigation and prosecution of their traffickers. The government forfeiture fund, which used property and money confiscated from traffickers to assist victims, disbursed 886,960 shekels ($255,530) to victims in 2017.

The government published new guidelines in May 2017 discouraging the prosecution of forced labor victims for offenses committed during their exploitation; similar guidelines for sex trafficking victims were already in effect prior to the start of the reporting period. Nevertheless, the government continued to punish some trafficking victims—specifically those among the irregular African migrant population, some of whom were exploited in Egypt's Sinai Peninsula—as a direct result of being subjected to human trafficking. During the majority of the reporting period, the government lacked an effective process to identify or proactively screen for victims among this population, and as a result, authorities regularly detained or summoned to detention victims for immigration violations under the Law of Infiltration for one year without trial or conviction in the Holot facility and Saharonim and Giv'on prisons. Although the government characterized Holot as an open facility to detain "infiltrators," NGOs and Holot residents claimed it was a de facto detention center due to its remote location in the desert and restrictions on movement. In November 2017, PIBA implemented a revised questionnaire for officials to utilize to screen for trafficking among irregular migrants who were summoned to Holot. However, PIBA did not investigate claims that at least one trafficking victim remained at Holot after an NGO identified the victim in early 2017, nor did it attempt to release the victim. During the reporting period, the LAA gained the release of three men from Saharonim prison after INP identified them as trafficking victims; LAA also secured exemptions from detention in Holot for an additional 26 men after INP identified them as victims. LAA also requested that PIBA suspend the summons of three migrants to Holot while INP reviewed their applications for trafficking victim status. Both government and NGO officials reported that detention, threat of detention, or summoning to detention triggered severe post-traumatic stress symptoms—including depression, fear, and eating disorders—among migrants that experienced abuse, and in some cases trafficking, in the Sinai. In December 2017, the Knesset approved a plan to close Holot and deport all detained migrants, some of whom may be trafficking victims, to third countries; PIBA further issued regulations in January 2018 establishing procedures to implement this plan.

PREVENTION

The government maintained strong efforts to prevent and raise awareness of human trafficking among the public and government officials. NATU continued to coordinate anti-trafficking efforts effectively among relevant ministries and NGOs during the reporting period, and NATU officials continued to appear regularly in the media to raise awareness of trafficking. NATU did not, however, complete a draft national action plan to combat trafficking that would replace the existing plan from 2007. The Knesset Subcommittee on Trafficking in Women and Prostitution met regularly and held 16 hearings and discussions during the reporting period. In 2017, the Ministry of Health funded a study conducted by a government-run health clinic and an NGO to study prostitution in the Eritrean migrant community. The government provided anti-trafficking training for its diplomatic personnel.

In June 2017, the Knesset passed an amendment to the Foreign Workers Law to revoke an employer's license to employ a foreign worker if the employer was convicted of a severe crime, including human trafficking. The Ministry of Labor, Social Affairs, and Social Services, which employed 261 labor inspectors and contracted translators during routine inspections, issued 1,242 administrative warnings, imposed 45 fines, and processed one criminal complaint that resulted in a sentence of 100 hours of community service on employers for labor violations in 2017. Nonetheless, NGOs reported there were not enough labor inspectors, especially in the construction and agricultural sectors, to sufficiently monitor and enforce labor laws. Additionally, NGOs reported the government did not effectively regulate work force companies, nor combat criminal networks that recruited foreigners for the construction and caregiving fields and for prostitution. In April 2017, the government signed a bilateral agreement to allow 20,000 Chinese workers to enter Israel's construction sector; however, the agreement required workers to pay licensed employment recruiters up to $1,000 in recruitment fees and costs, which could increase their debt and vulnerability to forced labor. The government did not complete a plan to prevent exploitation of Thai workers from forced labor in the agricultural industry. In accordance with PIBA procedures for recruitment agencies in the caregiving sector, it continued to require every agency to hire a licensed social worker responsible for supervising the conditions of foreign caregivers, including home visits, and for informing relevant authorities about labor violations.

The government, in collaboration with an NGO, continued to operate a 24-hour hotline to assist foreign workers who were in Israel under bilateral agreements. The hotline employed 11 interpreters in seven languages: Chinese, Thai, Bulgarian, Russian, Nepalese, Sinhalese, and Romanian. In 2017, the hotline received 1,398 calls, the majority from Thai agricultural workers. The government also maintained an emergency hotline for women and girls in prostitution, but it did not provide data on its operations in 2017. The government continued efforts to reduce the demand for commercial sex acts and to address sex tourism. In September 2017, the INP conducted an enforcement campaign on child sex trafficking, during which it conducted 19 raids on prostitution establishments, resulting in the arrests of two individuals and transfer of five children to social services. The government also temporarily shut down five brothels in 2017. In February 2018, the Ministry of Tourism led representatives of the Israeli tourism industry to sign the UN World Tourism Organization Code of Ethics, which included measures to prevent trafficking.

TRAFFICKING PROFILE

As reported over the past five years, Israel is a destination country for men and women subjected to forced labor and sex trafficking, as well as a source country for men, women, and to a lesser extent children, subjected to sex trafficking within Israel. Foreign workers, primarily from South and Southeast Asia, Eastern Europe, and the Palestinian territories migrate to Israel for temporary work in construction, agriculture, and caregiving; some of these workers are subjected to forced labor. As of January 2018, the Israeli government reported there were 88,171 legal foreign workers and 18,059 illegal foreign workers, including Palestinian workers, in Israel. Foreign workers in the construction sector suffer from labor rights abuses and violations, some of which may be trafficking. Some employers in the construction sector illegally charge Palestinian workers monthly commissions and fees, and in many cases employers illegally hire out Palestinian workers to other workplaces; these workers are vulnerable to forced labor. Some Thai men and women are subjected to forced labor in Israel's agricultural sector and face conditions of long working hours, no breaks or rest

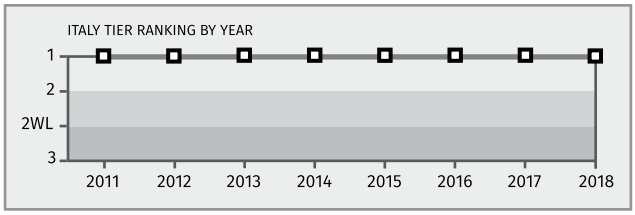
days, withheld passports, and difficulty changing employers due to limitations on work permits. Caregivers are highly vulnerable to forced labor due to their isolation inside private residences and their lack of protection under the labor law; local NGOs report that caregivers are subjected to excessive recruitment fees, fraudulent work contracts, long work hours, confiscation of passports, underpayment of wages, physical violence, sexual harassment and abuse, denial of severance pay, and poor housing including—in some cases—living in the same room as their employer. According to the Israeli government, as of June 2017 there were 49,100 foreign caregivers in Israel, 80 percent of whom are women; these caregivers constituted 57 percent of all legal foreign workers in the country. Networks of workforce agencies recruit Ukrainian and Georgian workers to Israel through a fraudulent asylum-claim process and charge workers high mediation fees and sell them fake documents; these workers are vulnerable to exploitation.

Eritrean and Sudanese male and female migrants are highly vulnerable to sex and labor trafficking in Israel. According to an international organization, as of September 2017, 72 percent of the 38,000 irregular migrants in Israel are Eritrean and 20 percent are Sudanese. According to NGOs, these migrants and asylum-seekers became increasingly vulnerable to trafficking following the government's implementation of a policy in May 2017 that reduced net wages for this population. Economic distress among women in this population greatly increases their vulnerability to sexual exploitation. Since 2007, thousands of African migrants entered Israel via the Sinai Peninsula. The flow of these migrants arriving in Israel, peaking at more than 17,000 in 2011, has dramatically decreased to zero in 2017. Many of these migrants were kidnapped in the Sinai and subjected to severe abuse, including forced labor and sex trafficking, at the hands of criminal groups in the Sinai before reaching Israel.

Women from Eastern Europe and the former Soviet Union, China, and Ghana, as well as Eritrean men and women, are subjected to sex trafficking in Israel; some women arrive on tourist visas to work willingly in prostitution—particularly in the southern coastal resort city of Eilat, but are subsequently exploited by sex traffickers. Some traffickers reportedly recruit sex trafficking victims with false, fraudulent, or misleading job offers on the internet, sometimes through legitimate employment websites. NGOs report some Palestinian LGBTI persons in Israel are vulnerable to abuse and exploitation, due to their legal status and restrictions on work eligibility for Palestinian nationals in Israel. Israeli transgender persons are also highly vulnerable to sex trafficking. Some transgender persons are sexually exploited in prostitution in order to be able to afford gender-affirming care. Some transgender children as young as 13 years old, some of whom run away from home, are exploited in sex trafficking.

ITALY: TIER 1

The Government of Italy fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Italy remained on Tier 1. The government demonstrated serious and sustained efforts by improving coordination among government agencies, international organizations, and NGOs in identification of trafficking victims upon arrival of irregular migrants by sea; increasing funding for NGOs providing shelter and other assistance to victims; providing greater protections for unaccompanied minors; and conducting more investigations of trafficking crimes. Although the government meets the minimum standards, many victims among vulnerable groups went unidentified, especially individuals in prostitution and migrants at reception centers. Government-supported NGOs remained underfunded in light of the need. The government did not take significant action at the national level to reduce demand for commercial sex and did not report on sentences courts gave convicted traffickers.



RECOMMENDATIONS FOR ITALY

Implement guidelines under the national plan to improve identification of possible trafficking victims among both migrants and asylum-seekers; increase the level of coordination among national, regional, and local governments toward ensuring adequate funding and support for investigations of trafficking and care of survivors; vigorously investigate and prosecute trafficking cases, and convict and sentence traffickers with dissuasive sentences; provide increased language and cultural interpretation for new arrivals, particularly for lesser-known African languages; consistently train law enforcement, migration officers, first responders, and other officials across all regions and localities on identification and referral procedures; improve specialized services and long-term care for child victims; improve the national coordination structure to engage all relevant public bodies and NGOs, and compile comprehensive data on identification of victims, investigations, prosecutions, convictions and sentencing, disaggregated between sex and labor trafficking cases, and disclose the information to the public; increase international cooperation with source and transit countries, especially Nigeria, on information sharing and countering trafficking rings; increase prevention measures to reduce the demand for commercial sex and vigorously enforce related existing criminal laws at local levels; and expand nationwide awareness-raising activities on all forms of trafficking.

PROSECUTION

The government increased law enforcement efforts. The 2003 Measures Against Trafficking in Persons law criminalized sex and labor trafficking and prescribed penalties of eight to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious offenses, such as rape. The government did not disaggregate law enforcement statistics involving labor trafficking crimes. Authorities investigated 482 persons for trafficking in 2017, compared with 290 in 2016. Police arrested 133 suspected traffickers in 2017, compared to 58 in 2016. The government indicted 73 defendants under the trafficking law in 2017, compared with none in 2016 and 17 in 2015. Trial courts and appellate courts convicted 28 traffickers under the trafficking law in 2017, compared to 31 in 2016 and 12 in 2015. In 2017, the government also investigated 412 persons under the penal code section for slavery, related to but outside of the definition of the trafficking law, with 108 convictions, compared to 43 convictions in 2016.

The government did not report data on sentences imposed under the trafficking law in 2017 or in years prior, and stated only that convicted traffickers generally received prison sentences ranging from seven to eight years (compared to six to nine years in 2016). For example, in November a Palermo judge sentenced two Nigerian traffickers to prison for eight and seven years, respectively, and required €20,000 ($24,010) in restitution to their victim. In July, a court in Lecce sentenced nine foreigners and two Italians to prison terms of 11 years each for labor trafficking. In July, a Rome court upheld the 12-year prison sentence of a Romanian for sex trafficking of two minors. Investigators prioritized trafficking syndicates, reflected by the arrest in November of 23 Nigerians in Palermo belonging to the trafficking syndicate Black Axe, the arrest of a network of 28 agricultural labor traffickers during the year prior to November 2017, and the arrest in February by financial police of a gang of seven labor traffickers in Calabria. Some source countries stated collaboration with Italian authorities on investigations was insufficient. Prosecutors cited positive results from increased cooperation with the Libyan Government of National Accord (GNA), as evidenced by the GNA-issued arrest warrants for 200 suspected traffickers in Libya that stemmed from the joint investigation. There were no investigations or prosecutions of government employees complicit in trafficking offenses.

The variety and number of trainings on trafficking offered to law enforcement and prosecutors increased. The government sponsored several interagency training exercises and simulations on anti-trafficking methods, including a September training with NGO participation. Prosecutors initiated an exchange with 22 African countries to bring prosecutors to work alongside Italian prosecutors for six months of training, enhancing cooperation between Italy and source countries. The training curriculum for law enforcement agencies included victim identification and investigation of trafficking crimes.

PROTECTION

The government increased protection efforts. The Department of Equal Opportunity (DEO) coordinated protection efforts and reported government-supported NGOs assisted 1,354 potential victims in 2017, a significant increase from 851 victims assisted in 2016; however, this figure did not differentiate between victims of trafficking and other forms of exploitation, and thus the actual increase in trafficking victim identification is unclear. Of the total, 176 were victims of labor exploitation and 24 of forced begging. Fifteen percent were men and one percent was transgender. Approximately 71 percent were from Nigeria, and an international organization estimated up to 75 percent of the Nigerian women and unaccompanied children who arrived in 2017 were trafficking victims. Children represented nearly 11 percent of all victims receiving assistance, many being boys forced to beg or commit robbery. The Ministry of Interior formed a working group focused on support for unaccompanied minors at risk of trafficking, and a new law strengthening their protection went into effect. NGOs reported many unaccompanied Nigerian minor victims were 15 to 17 years old, but at the direction of their traffickers routinely declared themselves as 18 or more years old to age-qualify for an asylum application, and then transfer to an adult reception center, giving greater freedom to leave the center unnoticed with their trafficker. NGOs, however, confirmed increased scrutiny by authorities of these age-claims, and authorities sent victims into child protection if unable to confirm adult age-status. NGOs estimated more than 6,000 minors in Italy were victims of sex trafficking in 2017.

The government relied predominantly on NGOs and international organizations to provide shelter and services to victims, which reported overall improvement in coordination with immigration officials at both the arrival points and the longer-term reception centers. The government followed standard UNHCR procedures to screen for trafficking victims among asylum-seekers. However, NGOs charged with meeting migrants on arrival continued to stress the need for longer time periods for interviewing and screening of migrants at the 'hot spot' arrival ports in order to accurately determine victim status, although hot spots can also be overcrowded, with little privacy, and not conducive to a stay beyond one or two days. NGOs noted the level of government funding remained insufficient given the significant increase in trafficking victims over current and past years, and also cited the need for a more formal referral mechanism. NGOs and officials alike stressed a critical need for more interpreters of lesser-known African dialects to be available during the initial screening of migrants. One NGO estimated existing reception centers could only adequately accommodate 25 percent of migrant needs. Centers were ill-equipped to address the unique needs of trafficking victims and lacked adequate security against traffickers seeking to recruit victims. The government allotted €22.5 million ($27 million) exclusively to trafficking victim assistance programs implemented by NGOs in 2017, a significant increase from €14.5 million ($17.4 million) in 2016 and €8 million ($9.6 million) in 2015. Local governments provided additional funds to victim assistance programs, although figures were not available. Government-funded NGOs provided separate facilities for men and unaccompanied children. NGOs commented quality standards for assistance programs were inconsistent, with continued disparity in programming levels between different regions of Italy. However, the government made progress in addressing this disparity through funding 18 assistance programs more equitably spread across all regions of Italy.

Foreign victims were granted assistance for up to six months and were eligible for temporary residency and a work permit. Adult victims could extend their temporary residence permit if employed or enrolled in a job training program. The government granted 418 residence permits to victims in 2017, compared to 340 permits in 2016. Child victims automatically received a residence permit until age 18 and accommodations in a general children's center or a designated center for trafficking victims who were also asylum-seekers. Children received counseling and enrolled in local public schools with the support of mentors. However, by the end of 2017, an estimated 32 percent of unaccompanied children had left the centers, which increased their vulnerability to trafficking. Victims were not required to cooperate with law enforcement to obtain a residence permit, although some NGOs and international organizations reported authorities sometimes gave preference to those who cooperated.

An NGO noted significant improvements in interagency cooperation in the past year, citing lessons learned over several years of responding together to the migrant crisis, particularly in coordinated screening of asylum applicants for trafficking. They cited continued challenges in adapting to changing trafficking dynamics and methods, and the related need for improved coordination among ground-level local NGOs, international organizations, and the national government. NGOs also noted victim assistance from the EU was insufficient in light of the large numbers of continued arrivals by sea. NGOs, prosecutors, and local officials praised the contribution of trained cultural mediators hired by the government or provided by government-funded NGOs, for their skill in communicating with migrants and victims.

PREVENTION

The government maintained prevention efforts. In October, the government launched an interagency working group to coordinate continued implementation of the 2016-2017 national action plan. The DEO, as coordinator of the interagency steering committee on trafficking, oversaw protection and prevention programs. Labor officials inspected 160,347 sites, compared to 94,025 sites in 2016, including 7,265 agricultural companies, and identified more than 48,000 unregistered workers, compared to 30,000 workers in 2016. The government did not report the extent to which it screened or identified potential trafficking cases in the inspections. The government launched a nationwide public awareness anti-trafficking campaign, including a video broadcast on national television publicizing the trafficking hotline. Local authorities and NGOs continued to distribute brochures, posters, bumper stickers, and media advertisements providing information on victim assistance. The DEO's hotline for victims of trafficking received more than 4,033 calls for information, compared to 2,900 in 2016, of which 487 were potential trafficking cases. Some municipalities supported education campaigns led by NGOs and implemented fines on individuals in prostitution and purchasers of commercial sex for violating rules on street prostitution, although it was unclear to what extent the police screened for trafficking. There was no coordinated national government effort to reduce the demand for commercial sex. Italian diplomats received anti-trafficking training, as did troops prior to deployment with international peacekeeping missions. The government did not address the demand for global child sex tourism or prosecute Italian citizens who participated abroad.

Internationally, Italy implemented an agreement for joint operations and training with the Libyan Coast Guard through Operation Sophia aimed at reducing the flow of irregular migrants crossing the central Mediterranean. The Italian government provided patrol vessels and training for the Libyan coast guard to more effectively interdict smugglers and traffickers and rescue migrant vessels. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing poor security and human rights conditions inside Libya and an increased risk of trafficking for migrants forced to remain in Libya. Italy and the Libyan GNA also maintained agreements on judicial cooperation and extraditions. Italian police began a two-year training program in March 2018 for 360 law enforcement officials from 22 African countries on immigration and border control, based in Egypt, including training on combating trafficking. The government implemented a communication program across the Horn of Africa and West Africa to inform potential migrants of the risks of trafficking.

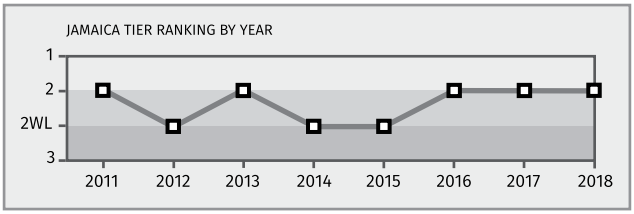
TRAFFICKING PROFILE

As reported over the past five years, Italy is a destination, transit, and source country for women, children, and men subjected to sex trafficking and forced labor. Victims originate primarily from Nigeria and other African countries, China, and Eastern Europe, and include ethnic Roma. Nigerians represented 36 percent of the victims who received residency permits in 2017, primarily women and girls subjected to sex trafficking through debt bondage and many coerced under threat of voodoo rituals. Men are victims of forced labor in agriculture in southern Italy and in construction, house cleaning, hotels, and restaurants in the north. Chinese victims work in textile factories in Milan, Prato, Rome, and Naples. Nigerian gangs have expanded and reportedly receive protection from Italian crime networks. Chinese criminal elements also forced victims to work in apartments and in massage parlors.

The dramatic flow of African migrants and asylum-seekers across the Mediterranean continued, albeit at a lower rate. Italy received 119,310 irregular arrivals by sea in 2017, compared to the 181,436 arrivals in 2016 and 154,000 arrivals in 2015, nearly all coming via Libya. Most migrants rely on smugglers in their country of origin and many become subject to trafficking en route to Italy or upon arrival. Unaccompanied children are at high risk, including boys forced to work in shops, bars, restaurants, bakeries, or in forced begging. According to UNHCR, 15,731 persons arriving in 2017 were unaccompanied children, compared to 25,846 arriving in 2016, mostly boys, the majority from Africa. Asylum-seekers are allowed to work two months after their applications are submitted, although many migrants later seek illegal employment in informal sectors, increasing their vulnerability to trafficking. Many also attempt to depart for other European countries.

JAMAICA: TIER 2

The Government of Jamaica does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Jamaica remained on Tier 2. The government demonstrated increasing efforts by increasing funding for victim assistance, publishing standard operating procedures (SOPs) for labor and health care officials, passing a legal amendment designed to enhance the government's efforts to prosecute and convict traffickers under its anti-trafficking law, and increasing awareness efforts. However, the government did not meet the minimum standards in several key areas. In particular, under Jamaica's anti-trafficking law, penalties for trafficking are not commensurate with other serious crimes. The government initiated significantly fewer investigations compared to the previous year, did not provide adequate protection for some potential or confirmed trafficking victims, and did not publish an annual report on government efforts.



RECOMMENDATIONS FOR JAMAICA

Increase efforts to identify and provide comprehensive protection to victims of trafficking, including sex trafficking, forced begging, and domestic servitude of Jamaican children; vigorously investigate, prosecute, convict, and punish traffickers, including any officials complicit in sex or labor trafficking; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; develop and fully implement government-wide SOPs to guide social workers and other front-line officials in the proactive identification of local and foreign victims of forced labor and sex trafficking, including those exploited in commercial sex in nightclubs, bars, massage parlors, forced begging, and domestic servitude; dedicate adequate funding to implement the national action plan and develop

a new plan before the current one expires; utilize and expand available shelters for identified trafficking victims, including male victims; allocate sufficient resources to implement the national rapporteur's mandate to investigate reports of human trafficking, report on violations of the rights of victims, and provide an annual report to the government; continue to support victims during the criminal justice process to ensure their availability for testimony; increase efforts to investigate, prosecute, and convict foreign tourists and others who purchase commercial sex acts from child trafficking victims; continue cooperating with foreign authorities to prevent suspected child sex tourists from entering the country; and continue efforts to educate government officials and the public about human trafficking of both Jamaican citizens and foreign nationals.

PROSECUTION

The government maintained law enforcement efforts. The government criminalized sex and labor trafficking through its Trafficking in Persons (Prevention, Suppression, and Punishment) Act, which prescribed penalties of up to 20 years imprisonment, a fine, or both. These penalties were sufficiently stringent; however, with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other serious crimes, such as rape. The Jamaican parliament approved and enacted an amendment to the Trafficking Act to allow such cases to be tried by a judge rather than a jury.

Authorities initiated 30 new trafficking investigations, compared with 40 in the previous reporting period. Officials prosecuted three new trafficking cases against three defendants—including Jamaica's first case of forced begging—and continued prosecuting 10 cases against 12 defendants, compared to three new cases in the previous reporting period. The government secured one conviction, compared to two in the previous reporting period. The convicted trafficker, whose prosecution began during a previous reporting period, was scheduled for sentencing in May 2018. The independent commission of investigations had authority to investigate all alleged abuses by police officers and government officials, but in practice did not pursue allegations of trafficking. The trial of the former deputy chairman of Jamaica's anti-doping disciplinary panel, the first Jamaican official to be charged with the offense of trafficking under the anti-trafficking law, ended in January when the judge dismissed the charges. The government did not report any other investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The National Task Force against Trafficking in Persons (NATFATIP) continued leading the government's anti-trafficking efforts, while the Ministry of Justice housed the NATFATIP's Secretariat and hosted monthly NATFATIP meetings. The Ministry of Justice allocated 34.8 million Jamaican dollars ($272,470) for anti-trafficking efforts in fiscal year 2017-2018. The Office of the Director of Public Prosecutions (DPP) maintained a 19-person trafficking unit and assigned dedicated prosecutors to trafficking cases. The government trained more than 600 police officers on trafficking, compared to 1,063 in the previous reporting period. The government hosted a two-week course on trafficking investigations for 30 law enforcement officials from eight Caribbean countries and territories. The government cooperated with the governments of Antigua, The Bahamas, Guyana, and Trinidad and Tobago on trafficking cases.

PROTECTION

The government maintained efforts to protect victims. Authorities identified 13 confirmed trafficking victims—12 exploited in labor trafficking and one exploited in sex trafficking—during the reporting period, compared to eight confirmed victims in 2016. All but one identified victim was Jamaican. The government published victim identification SOPs for both health care officials and labor officials, and continued work on a protocol for child welfare officials, though these agencies did not report identifying any victims during the year. The Jamaica Constabulary Force (JCF) and immigration officers continued to use SOPs for victim identification and granting temporary immigration status; however; some officers reportedly failed to identify and refer potential victims. The JCF maintained an anti-trafficking unit, which interviewed potential victims and was required by law to notify NATFATIP, partner NGOs, and, in some cases, the Child Protection and Family Services Agency (CPFSA). There were no reports of the government referring victims to NGO-run shelter facilities; some stakeholders were not aware of, or did not fully utilize the JCF's anti-trafficking unit services when interacting with potential trafficking victims. The JCF anti-trafficking unit could arrange for the transportation and transfer of victims to a shelter, a CPFSA facility, or private short-term accommodation, regardless of whether or not the victim cooperated with law enforcement. No identified victims during the reporting period were transferred to the government-run trafficking shelter, but other accommodations, including long-term shelter in at least one case, were provided. During the reporting period, NATFATIP provided the anti-trafficking unit with a new vehicle to be used for supporting operations and transporting victims. CPFSA shelter facilities were inadequate for potential child trafficking victims; there was a shortage of child-friendly spaces, social workers, and facilities outside of the capital. The children's registry—which operated a national hotline for cases of child abuse, including human trafficking—received three reports of alleged child trafficking between April and September 2017, the latest data available.

The government offered protection to the 13 confirmed victims and referred them to government facilities for medical services, psychological services, and financial assistance for basic necessities. The government's trafficking shelter, which could house 12 people, continued assisting one female victim from a previous reporting period, who received medical and dental care, psychological counseling, food and basic necessities, legal services, and access to recreation, while other identified victims either returned home or were referred to other facilities, such as hotel arrangements funded by the government. At least one victim identified during the reporting period remained in a long-term shelter arrangement. An NGO-run trafficking shelter offered educational and training services funded by the government to victims older than 16 and was capable of housing six women; the government did not refer any victims to this shelter during the reporting period. The government reportedly provided support to victims after their departure from government shelters on a case-by-case basis, including medical and psychological care. The government reported a shortage of medical professionals trained to care for trafficking victims. The government had difficulty securing witness testimony of victims who had been repatriated and of those who feared reprisal; lengthy court cases and limited access to services exacerbated these fears and served as disincentives for victims to participate in trials. The DPP encouraged victim testimony by providing victims an overview of the criminal justice process, assigning dedicated prosecutors to develop a rapport with victims, and equipping some courtrooms for remote video testimony to enable testimony from abroad—video testimony has not been utilized in any trafficking cases.

Authorities provided more than 12 million Jamaican dollars ($93,750) for both victim assistance and protection in 2017, compared with 6.3 million Jamaican dollars ($49,220) for solely victim assistance in 2016. In accordance with Jamaica's anti-trafficking law, the government continued providing temporary relief from deportation for one foreign national victim identified in a previous reporting period. The government coordinated with two governments to repatriate two Jamaican victims, including by preparing relevant documents and providing investigative and logistical support, but it did not provide repatriated victims with protective services. There were no reports of the government penalizing identified victims for crimes committed as a result of being subjected to trafficking; however, ineffective screening of vulnerable populations for indicators of trafficking may have led to some victims being penalized.

PREVENTION

The government increased efforts to prevent trafficking. NATFATIP continued to coordinate implementation of the government's national anti-trafficking plan valid through 2018. With funding from an international organization, NATFATIP continued drafting a national anti-trafficking policy, to supplement the already-existing national plan of action on trafficking. The cabinet appointed a national rapporteur on trafficking in 2015 to investigate reports of trafficking, report on violations of the rights of victims, and provide an annual report to the government; the rapporteur had yet to publish a report by the close of the reporting period. The government engaged in public awareness activities, including a campaign in schools and the media, a film screening, a comic book, an animated mini-series, and the distribution of 69,000 copies of a pamphlet in a leading newspaper, reaching more than 31,000 students, teachers, government officials, and community members. The government formally adopted an anti-trafficking awareness campaign sponsored by an international organization. NATFATIP, with funding from a foreign government, conducted a nation-wide trafficking awareness tour that included five town hall events and reached over 700 students and community members. The National Children's Registry conducted over 280 training sessions to educate audiences about the registry's role in receiving reports of child abuse, including child trafficking. The labor ministry, prior to the departure of Jamaican participants in an overseas seasonal agricultural program, educated them about the risks of trafficking. The government did not report any investigations, prosecutions, or convictions of foreign tourists for the purchase of commercial sex acts from child trafficking victims, but authorities arrested one foreign citizen for sexual offenses committed against a child. Police conducted operations in areas known for prostitution and collaborated with the Jamaica Fire Brigade to close three suspected brothels based on building code violations. The government, in cooperation with foreign authorities, monitored foreign registered sex offenders attempting to travel to Jamaica. The government did not make efforts to reduce the demand for forced labor. The government provided anti-trafficking training to diplomatic personnel, including the requirement for such personnel to enter into employment contracts with their domestic workers.

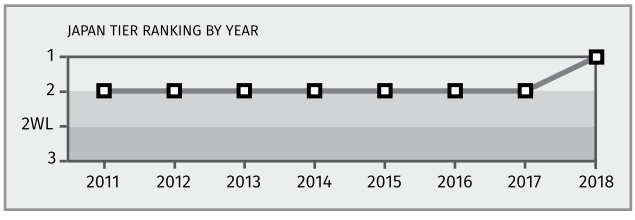
TRAFFICKING PROFILE

As reported over the past five years, Jamaica is a source and destination country for adults and children subjected to sex trafficking and forced labor. Sex trafficking of Jamaican women and children, including boys, reportedly occurs on streets and in nightclubs, bars, massage parlors, hotels, and private homes, including in resort towns. Traffickers increasingly use social media platforms to recruit victims. Jamaican citizens have been subjected to sex trafficking and forced labor abroad, including in other Caribbean countries, Canada, the United States, and the United Kingdom.

Communities vulnerable to sex trafficking and forced labor include young women and children from poor households, child victims of sexual abuse, residents of Jamaica's poverty-stricken areas effectively controlled by criminal "dons," migrant workers, and workers in the informal sector, particularly on family farms and in markets and shops. Some boys may be subjected to forced criminal activity by gang members. Child domestic workers may be subject to domestic servitude, and some children and adults are subjected to forced begging. Many children are reported missing in Jamaica; some of these children are subjected to forced labor or sex trafficking. Foreign nationals are subjected to forced labor in Jamaica and aboard foreign-flagged fishing vessels operating in Jamaican waters. NGOs and other local observers report child sex tourism is a problem in Jamaica's resort areas.

JAPAN: TIER 1

The Government of Japan fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Japan was upgraded to Tier 1. These achievements included establishing a new interagency taskforce to combat child sex trafficking in *Joshi kosei* or "JK" businesses—dating services connecting adult men with underage girls—and in forced pornography; operationalizing regulations and a new oversight mechanism for its Technical Intern Training Program (TITP); and acceding to the UN Convention against Transnational Organized Crime (UNTOC) and the 2000 UN TIP Protocol. Although the government meets the minimum standards, authorities continued to prosecute traffickers under laws carrying lesser sentences, which courts often suspended in lieu of incarceration. Many suspected cases of child sex trafficking and forced labor were addressed with administrative penalties or loss of business licenses rather than through criminal investigations and proceedings. The government was unable to fully enforce TITP reform law provisions aimed at blocking foreign-based recruitment agencies from charging excessive fees—a key driver of debt bondage among TITP participants. Authorities detained, charged, and in some cases deported TITP interns who absconded from exploitative conditions in their contracted agencies, rather than screening them and referring them to protective services.



RECOMMENDATIONS FOR JAPAN

Vigorously investigate and prosecute sex and labor trafficking cases, and hold convicted traffickers accountable by imposing strong sentences; amend anti-trafficking laws to remove sentencing provisions that allow fines in lieu of imprisonment and to increase the penalties prescribed for trafficking crimes to

include a maximum of no less than four years imprisonment; increase resources to provide specialized care and assistance to trafficking victims, including designated shelters for trafficking victims, and ensure these services are also available to both foreign and male victims; continue to implement the TITP reform law's oversight and enforcement measures, including by increasing employer inspections and terminating contracts with foreign recruitment agencies charging excessive commissions or fees; increase enforcement of bans on "punishment" agreements, passport withholding, and other practices by organizations and employers that contribute to forced labor; enhance victim screening to ensure victims, including migrant workers under the TITP program and children, are properly identified and referred to services, and not detained or forcibly deported for unlawful acts committed as a direct result of being subjected to trafficking; and aggressively investigate, prosecute, convict, and punish Japanese citizens who engage in child sex tourism overseas.

PROSECUTION

The government increased some law enforcement efforts. Japan did not have a comprehensive anti-trafficking statute that included definitions in line with international standards. However, it criminalized sex and labor trafficking offenses through disparate laws pertaining to prostitution of adults and children, child welfare, immigration, and employment standards. Article 7 of the Prostitution Prevention Law criminalized inducing others into prostitution and prescribed penalties of up to three years imprisonment or a fine of up to 100,000 yen ($890) if fraudulent or coercive means were used, and up to three years imprisonment and a fine of up to 100,000 yen ($890) if force or threats were used. Article 8 of the same law increased penalties to up to five years imprisonment and a fine of up to 200,000 yen ($1,780) if the defendant received, entered into a contract to receive, or demanded compensation for crimes committed under Article 7. The "Act on Regulation and Punishment of Activities Relating to Child Prostitution and Pornography and the Protection of Children" criminalized engaging in, acting as an intermediary for, and soliciting the commercial sexual exploitation of a child and prescribed penalties of up to five years imprisonment, a fine, or both. The act also criminalized the purchase or sale of children for the purpose of exploiting them through prostitution or the production of child pornography, and prescribed a maximum penalty of 10 years imprisonment. The government reportedly also prosecuted trafficking-related offenses using the Child Welfare Act, which broadly criminalized transporting or harboring children for the purpose of causing them to commit an obscene or harmful act and prescribed penalties of up to 10 years imprisonment, or a fine of up to 1 million yen ($8,880), or both. The Employment Security Act and the Labor Standards Act both criminalized forced labor and prescribed penalties of up to 10 years imprisonment or a fine not exceeding 3 million yen ($26,650). When prescribed penalties allowed for fines in lieu of imprisonment for sex trafficking, they were not commensurate with penalties prescribed for other serious crimes, such as rape. However, the government issued sentencing guidelines at the end of the reporting period directing prosecutors not to pursue fines in lieu of imprisonment in trafficking cases. Penalties prescribed for trafficking crimes were sufficiently stringent. With respect to sex trafficking and in light of the aforementioned sentencing guidelines regarding fines, these penalties were also commensurate with those prescribed for other serious crimes, such as rape. Civil society organizations reported reliance on this series of overlapping statutes continued to hinder the government's ability to identify and prosecute trafficking crimes, especially for cases involving forced labor with elements of psychological coercion.

In July 2017, Japan passed a law containing a provision that criminalized bribery of witnesses, which would allow the authorities additional grounds to pursue obstruction of justice charges against some traffickers. However, the government did not report to what extent it implemented this during the reporting period. The government did not report the number of investigations into crimes related to trafficking it initiated in 2017 (44 in 2016), but courts prosecuted 26 individuals (43 in 2016), leading to 23 convictions (37 in 2016). Six of the 23 convicted traffickers received only fines. Authorities sentenced the remaining 17 traffickers to two to four years imprisonment, but only incarcerated five of them; the remaining 12 received suspended sentences, allowing them to avoid serving prison terms. The government did not report convicting any individuals for involvement in the forced labor of TITP participants. However, following on-site inspection of TITP implementing organizations, the Labor Standards Office and regional immigration authorities referred 34 cases of "severe" labor abuses to the Public Prosecutor's Office for further criminal investigation (40 referrals to prosecution for lesser violations in 2016); the government did not report whether these cases included forced labor indicators, or whether they culminated in prosecutions. NGOs claimed courts set prohibitively high evidentiary standards for forced labor cases involving foreign victims, thereby stymying appropriate law enforcement action. The government also reported identifying and initiating investigations into 956 cases of "children in prostitution"—a form of sex trafficking—compared with 809 in 2016. Authorities reported convicting three individuals under "child prostitution" provisions in the "Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children," but this figure only included "child prostitution" cases the government formally recognized as trafficking; the true number of convictions under these provisions was likely much higher. Authorities increased law enforcement action against child sexual exploitation in "JK" businesses and in coerced pornography operations. Police arrested and charged the head of an entertainment industry job placement agency and the operator of a pornographic video production company for inducing women and girls to engage in sexual intercourse for the purpose of profit—the first application of this criminal statute in over 80 years. However, the Public Prosecutor's Office did not prosecute the suspects. Police also arrested the owner of a prominent online DVD sales business for subjecting women, including a minor, to forced participation in pornography. The owner was initially convicted and given a suspended sentence, which the prosecutors successfully appealed; he was then re-sentenced to two years and six months imprisonment with a fine of 300,000 yen ($2,670). In an effort to combat the commercial sexual exploitation of children, the Tokyo Metropolitan Assembly passed an ordinance in July 2017 prohibiting girls under 18 from working in compensated dating services and requiring "JK" business owners to register their employee rosters with the city's public safety commission. Authorities identified 114 of these operations nationwide in 2017, of which they closed 14 for violating the terms of the ordinance. Courts then initiated prosecution under the Labor Standards Act against the owner of one such establishment for subjecting three underage girls to sex trafficking; the case was ongoing at the end of the reporting period. The government continued to provide training on investigative methods and victim identification for police officers, prosecutors, judges, and immigration bureau officials.

PROTECTION

The government increased some efforts to protect victims. Authorities identified 46 trafficking victims, compared with 50 in 2016, in addition to 956 children exploited in commercial sex. The government increased efforts to screen for, identify, and provide appropriate protective services to victims among vulnerable groups, including girls subjected to labor and sex trafficking in the "JK" business. Of these 46 victims, the government identified 31 female sex trafficking victims (37 in 2016) and three labor trafficking victims (four in 2016), along with 12 additional victims of forced labor who were also likely subjected to sex trafficking (nine in 2016). National Police Agency (NPA) officials continued to use an IOM-developed handbook and the Inter-Ministerial Liaison Committee's manuals to identify and refer victims to available protective services. The NPA also distributed a handbill for potential victims with emergency contact information in 10 languages. Only one victim identified in 2017 was male, and the government has never identified a forced labor victim within the TITP despite substantial evidence of trafficking indicators. Authorities continued to arrest and deport TITP participants—particularly those from Vietnam—who escaped forced labor and other abusive conditions in their contracted agencies. Despite identifying 956 cases of children exploited in commercial sex, police officially identified only six children as sex trafficking victims during the reporting period (10 in 2016); authorities continued to separate these statistics based on persistent definitional discrepancies that may have impacted service provision and proper law enforcement action. Police continued to treat some potential child sex trafficking victims as delinquents, counseling them on their behavior instead of screening them for victim status, investigating their cases, or referring them to specialized services; authorities arrested and initially charged some child victims in connection with their trafficking situations, though NGOs reported the authorities later dropped all such charges in 2017.

As in prior years, the government did not fund trafficking-specific shelters, but it continued to fund shelters run by Women's Consulting Offices (WCOs) and those for victims of domestic violence. These shelters reported assisting 16 of the 46 victims identified in 2017 (15 in 2016), at least one of whom was under 18. An unknown number of additional victims received assistance in NGO shelters, where they could access government-subsidized medical care. WCO shelters provided food and other basic needs, psychological care, and coverage of medical expenses to victims, who were free to leave the facilities if accompanied by WCO personnel. The government allocated over 3.5 million yen ($31,100) for sheltering male trafficking victims, although it was unclear whether the sole male victim identified in 2017 received direct government assistance. The availability and quality of victim services varied according to prefecture-level officials' relative experience with trafficking cases.

The Ministry of Health, Labor, and Welfare (MHLW) continued to partially fund an NGO-run general counseling hotline for foreign workers, but it was not trafficking-specific. The immigration bureau operated a similar hotline through which two victims were identified during the reporting period. Police also ran a general hotline through a private entity that fielded over 20,000 complaints in 2017, 182 of which were trafficking-related. This hotline was only available in the Japanese language, and none of the calls culminated in positive victim identification. The government continued to fund a program through an international organization to provide counseling, temporary refuge, social reintegration, and repatriation services to trafficking victims. Through this program, seven foreign victims received repatriation assistance (23 in 2016), and another eight who had been repatriated in previous years benefited from social reintegration services. Despite the existence of these services, international organizations and NGOs reported most foreign trafficking victims had limited or no access to other government-provided social services from which legal resident victims could benefit. NGOs highlighted a lack of language interpretation services as a particular challenge to the protection of foreign victims.

Although the law ostensibly protected victims from denial of entry into or deportation from Japan, inadequate screening of vulnerable groups reportedly led to the arrest and deportation of some victims due to immigration violations or other crimes committed as a result of being subjected to trafficking. NGOs noted increased cooperation between the Ministry of Foreign Affairs and the Ministry of Justice (MOJ) to tighten victim screening of Japanese-Filipino children entering the country on residency arrangements, but authorities did not report whether this led to any positive identification. Temporary, long-term, and permanent residence benefits were available to foreign victims who feared the repercussions of returning to their countries of origin. In 2017, the government reported granting two long-term visas and 16 short-term visas to victims under these circumstances (compared with zero and 24, respectively, in 2016); some victims identified in 2017 already had residence permits at the time of identification. Victims had the right to file civil suits to seek compensation from their traffickers; some foreign workers, including potentially unidentified victims, and sex trafficking victims filed civil suits for non-payment of wages in 2017. However, companies ordered to provide restitution often filed for bankruptcy, making restitution awards nearly impossible. Civil society organizations reported some victims of coerced pornography chose not to participate in court proceedings against their traffickers out of fear that doing so would create stigma-based challenges to their reintegration and rehabilitation.

PREVENTION

The government increased efforts to prevent trafficking. It produced its third annual report on government actions to combat trafficking and tracked measures against the stated goals of its anti-trafficking action plan. Authorities began implementing the 2016 Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (TITP reform law), which aimed to establish criminal penalties for certain labor abuses, increase oversight and accountability within the program, and expand participants' freedom to change employers at will, among other improvements. Under the auspices of this law, the government established the Organization for Technical Intern Training (OTIT), which increased on-site inspections of both implementing and supervising organizations and provided over 1,300 participants with multilingual consultation services. The law also mandated the MHLW to approve work plans outlining living conditions, working hours, and other factors developed jointly by incoming TITP participants and their employers; authorities reported approving over 30,000 of these in the five months following enactment of the law. Despite an increase in inspections leading to a range of administrative and law enforcement actions, NGOs reported the OTIT was too understaffed to adequately investigate allegations of abuse within such a large program—particularly as the number of participants continued to grow. Observers remained concerned that most TITP participants still did not have the right to change employers once in Japan; some participants reportedly absconded from abusive conditions in their contracted

workplaces, thereby violating the terms of their visas and becoming more vulnerable to trafficking in unemployment.

In an attempt to prevent TITP participants from incurring high debts in their sending countries, the government entered into memoranda of cooperation with Vietnam, Cambodia, India, Laos, Mongolia, and the Philippines, affirming it would accept TITP trainees only from state-approved organizations that would not charge participants excessive fees. However, some sending organizations in these countries were able to circumvent the fee restrictions and still secure their respective governments' approval by charging high "commissions" in lieu of fees; trainees from these countries therefore remained vulnerable to debt bondage once in Japan. The Labor Standards Inspection Office conducted 299 on-site investigations into allegations of TITP employer misconduct, leading to "corrective notifications" for 213 organizations and at least four ongoing criminal investigations for "severe abuses." The MOJ also banned three companies, 27 supervising organizations, and 183 implementing organizations from receiving TITP interns in 2017, compared with two, 25, and 202, respectively, in 2016.

Authorities continued to advertise the multilingual emergency contact hotline number at local police and immigration offices, through NGOs, and in consultations with source countries' governments. The government raised awareness on trafficking by disseminating information online and through radio programs, posters, and brochures, as well as through leaflets distributed to NGOs, immigration and labor offices, and diplomatic missions in Japan and abroad. The government continued to distribute posters and brochures in transportation hubs and to travelers warning that Japanese citizens could face prosecution if suspected of having engaged in child sex tourism overseas. The government had extraterritorial jurisdiction to prosecute Japanese nationals who engaged in child sexual exploitation abroad, but authorities did not report exercising this jurisdiction. NGOs lauded the government's initiation of a high-level interagency taskforce, led by the Minister for Gender Equality, to address violence against children perpetrated through forced participation in pornographic films and the "JK"-business. In July, Japan passed a law approving UNTOC and became a State Party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the last five years, Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking. Male and female migrant workers, mainly from Asia, are subjected to conditions of forced labor, including in Japanese government-run programs. Men, women, and children from Northeast Asia, Southeast Asia, South Asia, South America, and Africa travel to Japan for employment or fraudulent marriage and are subjected to sex trafficking. Japan's fast-growing foreign student population is also vulnerable to trafficking in the unskilled labor sector. Traffickers use fraudulent marriages between foreign women and Japanese men to facilitate the entry of women into Japan for forced prostitution in bars, clubs, brothels, and massage parlors. Traffickers keep victims in forced labor or forced prostitution using debt bondage, threats of violence or deportation, blackmail, passport retention, and other psychologically coercive methods. Most victims are required to pay employers fees for living expenses, medical care, and other necessities, leaving them vulnerable to debt bondage. Brothel operators sometimes arbitrarily impose "fines" on victims for alleged misbehavior as a tactic to extend their indebtedness. Trafficking victims reportedly transit Japan before being exploited in onward destinations, including East Asia and North America.

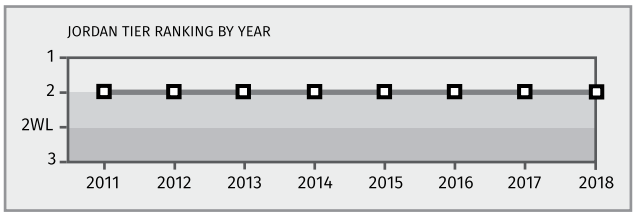
Japanese citizens—particularly runaway teenage girls—are also subjected to sex trafficking. *Enjo kosai*, also known as "compensated dating," and variants of the "JK" business continue to facilitate the sex trafficking of Japanese children. Highly organized prostitution networks target vulnerable Japanese women and girls—often living in poverty or with cognitive disabilities—in public spaces such as subways, popular youth hangouts, schools, and online, and subject them to sex trafficking. Some groups posing as model and actor placement agencies use fraudulent recruitment techniques to coerce Japanese men, women, and underage girls into signing vague contracts and then threaten them with legal action or the release of compromising photographs to force them to participate in pornographic films. Private Japanese immigration brokers help Japanese-Filipino children and their Filipina mothers move to Japan and acquire citizenship for a significant fee, which the mothers often incur large debts to pay; upon arrival, some of these women and their children are subjected to sex trafficking to pay off the debts. Organized crime syndicates posing as immigration brokers also lure these families to Japan with deceptive job offers, and then subject the women to forced labor in the nightlife industry. Japanese men remain a source of demand for child sex tourism in Thailand and other countries in Asia.

Cases of forced labor occur within the TITP, a government-run program originally designed to foster basic technical skills among foreign workers that has effectively become a guest-worker program. TITP participants from Burma, China, Cambodia, and Vietnam pay sending organizations in their home countries up to $10,000 in excessive fees, deposits, or vague "commissions"—despite new international agreements aimed at curbing the practice—to secure jobs in fishing, construction, and manufacturing. Many participants are placed in jobs that do not teach or develop technical skills, contrary to the program's original intent; others are placed in jobs that do not match the duties they agreed upon beforehand. Some of these workers experience restricted freedom of movement, passport confiscation, threats of deportation, and other conditions of forced labor. Some sending organizations require participants to sign "punishment agreements" charging thousands of dollars in penalties if they fail to comply with their labor contracts. Some participants who abscond from their contracted TITP jobs are reportedly subjected to sex trafficking.

JORDAN: TIER 2

The Government of Jordan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Jordan remained on Tier 2. The government demonstrated increasing efforts by identifying and providing care to an increased number of victims and demonstrated strong efforts to investigate, prosecute, and convict traffickers. It also continued to improve the standard operating procedures (SOPs) within the national victim referral mechanism for authorities to systematically identify and refer victims to protection services. However, the government did not meet the minimum standards in several key areas. Under Jordan's anti-trafficking law, penalties for sex trafficking offenses were

not commensurate with penalties prescribed for other serious crimes. Jordanian authorities did not enact draft amendments to the anti-trafficking law, and a lack of sufficient resources hindered victim identification and care. Victims—including victims of domestic servitude—continued to be vulnerable to arrest, imprisonment, and deportation for acts committed as a direct result of being subjected to trafficking, such as immigration violations and fleeing abusive employers.



RECOMMENDATIONS FOR JORDAN

Amend the anti-trafficking law to ensure penalties for sex trafficking crimes are commensurate with those prescribed for other serious crimes; ensure victims are not inappropriately punished for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations or escaping from an abusive employer; significantly increase training for law enforcement, prison officials, and labor inspectors throughout the country to proactively screen for, identify, and refer to protection services trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, and women in prostitution; fully implement the national victim referral mechanism, and finalize and distribute to all relevant officials the revised SOPs for the mechanism; continue to prosecute, convict, and punish sex trafficking and forced labor offenses with adequate jail time, and investigate and punish individuals for withholding workers' passports under Jordan's passport law; continue to regularly cooperate with NGOs to identify and refer victims to protection services; continue to allocate adequate funding for operation of the government's trafficking shelter, and train shelter staff to identify and provide specialized care to victims; issue (or apply) labor regulations governing work in the agricultural sector, and increase labor inspections in this sector; and regulate and investigate fraudulent labor and recruitment practices.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 anti-human trafficking law criminalized sex and labor trafficking. The law prescribed penalties of a minimum of six months imprisonment and/or a fine for sex and labor trafficking involving adult victims. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties prescribed for sex trafficking were not commensurate with the penalties prescribed for other serious crimes, such as rape. The law prescribed penalties of up to 10 years imprisonment and a fine for the sex trafficking and forced labor of children, as well as for the sex trafficking of adults and other forms of adult trafficking involving aggravating circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Jordan's passport law criminalized the withholding of passports by an employer, carrying penalties of six months to three years imprisonment and fines. During the reporting period, the government did not pass draft amendments to the anti-trafficking law that would enhance sentences for trafficking offenses and establish a victims' compensation fund, in part because the Minister of Finance rejected funding the victims' fund through the national budget.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint anti-trafficking unit—the national focal point leading anti-trafficking investigations—continued to investigate potential trafficking crimes. The unit had national jurisdiction and included 18 criminal investigators, three labor inspectors, as well as interpreters and researchers. In 2017, the anti-trafficking unit investigated 310 potential trafficking cases. Additionally, in 2017 labor inspectors gained access to the residences provided for foreign garment workers to investigate potential labor violations and potential trafficking crimes. NGOs reported labor inspectors did not adequately investigate potential trafficking crimes (or other labor violations) in the agricultural sector. The Ministry of Justice reported it initiated the prosecution of 52 trafficking cases in 2017 and continued prosecution of additional trafficking cases initiated in previous years. The government convicted 10 traffickers under the anti-trafficking law, while 33 perpetrators were either acquitted or convicted of other crimes or violations of the labor law. Traffickers convicted in 2017 received sentences ranging from a fine of 1,000 Jordanian dinar ($1,410) to five years imprisonment with temporary hard labor and a fine of 5,000 Jordanian dinar ($7,060); some of these sentences were not sufficiently stringent to deter the crime. Efforts in 2017 were on par with the 58 total prosecutions and 10 convictions in 2016. Nevertheless, legal experts suggested courts were hesitant to convict perpetrators for human trafficking, preferring to pursue other charges such as labor violations that carried lesser penalties than the anti-trafficking law. NGOs and foreign embassy representatives continued to report the government preferred to settle potential cases of domestic servitude through mediation, rather than referring them for criminal prosecution. NGOs also raised concerns that the long litigation process for trafficking cases gave employers time to pressure victims to drop their cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses during the reporting period.

The anti-trafficking unit continued to place specially trained officials in cities outside the capital, including Aqaba, Irbid, and Ramtha. Resources were primarily concentrated in Amman, Jordan's capital and largest city. Jordan's overcrowded and underfunded judicial system reduced the availability of trained judges and prosecutors who could specialize in trafficking cases. However, during the reporting period, the anti-trafficking unit reported conducting several anti-trafficking training workshops for officials, in coordination with international organizations and NGOs. The government also provided training to 51 labor inspectors around the country on victim identification, victim protection, and trafficking prosecutions.

PROTECTION

The government increased efforts to protect victims; however, some victims remained vulnerable to punishment. The government continued to utilize formal written procedures to guide officials in identifying trafficking victims, and it continued to receive referrals of potential trafficking victims from NGOs, an international organization, and police stations in Amman. In 2017, the anti-trafficking unit identified 75 trafficking victims, which was an increase from the 65 victims the government identified in 2016. The government continued to utilize formal written procedures to refer identified victims to care; however, civil society organizations reported that labor inspectors, police,

and detention center officials lacked the specialized training to proactively identify and refer victims to protection services. The PSD continued to work in cooperation with a local NGO to identify and assist victims at police stations and prison rehabilitation centers, as well as to train PSD personnel and assist in the repatriation of victims. Government and NGO officials noted some field officers and inspectors were not well-informed of the SOPs within the existing victim referral mechanism to refer victims to care. To address these deficiencies, the government continued to work with an international organization to develop more detailed victim referral procedures to better guide officials; the revised procedures were pending approval at the end of the reporting period.

The Ministry of Social Development (MOSD) continued to operate and provide assistance to victims at a shelter solely dedicated to protecting trafficking victims, which provided a wide range of services, including psycho-social care, medical treatment, legal assistance, vocational training, and specialized services for children. The shelter's staff included specialists in psychology, social work, nursing, and education. The facility had the capacity to serve 40 male and female victims, both citizens and foreign nationals, including children, with a separate wing and entrance for male victims; it was the only shelter in the country available for men. The provision of shelter services was not conditional upon a victim's cooperation with law enforcement or judicial authorities. During the reporting period, shelter staff also coordinated with the MOL to waive fees for victims' lapsed labor permits and assisted victims to find new employment if they chose to continue working. The government allocated an operating budget for the shelter through 2018; it did not report budgeting information beyond 2018. In 2017, the shelter served a total of 99 trafficking victims, the majority of whom were female victims of forced labor, domestic servitude, or sexual exploitation; this represented an increase from 56 victims assisted at the shelter in 2016. The anti-trafficking unit referred the majority of the victims to the shelter, but NGOs and foreign embassies also referred some victims. The MOSD, through the trafficking shelter, was responsible for coordinating with NGOs and foreign embassies to assist in the repatriation of foreign trafficking victims, but it did not provide such assistance during the reporting period. Other facilities that served female victims of gender-based violence also served potential trafficking victims. Victims were not able to file civil suits against their traffickers for restitution. However, the government encouraged victims to assist in the prosecution of their traffickers by providing legal and reintegration assistance; victims also had the option to provide a deposition prior to being repatriated. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship.

Despite the government's victim identification and protection efforts, some foreign trafficking victims remained vulnerable to financial penalties, arrest, detention, and deportation if found without valid residence documents. Jordan's sponsorship system prevents foreign workers from switching employers (without a letter of release from their sponsor) or receiving adequate access to legal recourse in response to abuse. Migrant workers, including potential trafficking victims, who left their place of employment prior to fulfilling their work contract, were considered illegal residents and accrued fines for their illegal presence in the country and risked detention. According to an NGO, even if a worker left an employer because it was an exploitative situation, bureaucratic and financial barriers and detention prevented some victims from repatriation. Furthermore, trafficking victims who opted to remain in Jordan for work were required to pay their overstay and lapsed labor permit fines before applying for a new work permit, which was a significant financial burden for victims. Some foreign workers remained in Jordanian detention, due to pending criminal charges against them or their inability to pay overstay penalties or plane fare home. In April 2017, the media reported the government initiated a crackdown on domestic workers who fled their employers—a population highly vulnerable to trafficking—and violated the labor law and residency regulations, which resulted in the arrest and deportation of 11 foreign domestic workers; the government did not report utilizing identification measures to screen for potential trafficking victims during this crackdown.

PREVENTION

The government maintained strong prevention efforts. The inter-ministerial anti-trafficking committee met regularly during the reporting period. The government continued to draft a new national anti-trafficking action plan and strategy, but it was not finalized by the end of the reporting period. The government continued to raise awareness about trafficking crimes. Authorities continued to distribute anti-trafficking brochures to all foreign migrant workers entering Jordan, and labor inspectors distributed brochures in multiple languages at inspected work sites. MOL continued to operate a hotline to receive labor complaints, which offered interpretation services in some source-country languages. However, due to overall budget shortfalls, the government was unable to consistently maintain interpreters of some Asian languages at the hotline, which led to difficulties identifying potential trafficking victims and referring them to protection services.

The government continued to take efforts to reduce the demand for forced labor and commercial sex acts. In 2017, the government improved measures to reduce the vulnerability of Syrian refugees to trafficking. The government continued to make efforts to address and prevent forced marriages among the Syrian refugee population, which put women and girls at risk of abuse and exploitation. The government continued to issue work permits to Syrian refugees during the reporting period; in 2017, it issued 46,717 work permits to Syrians. The government also remained committed to formalizing access to the labor market for 200,000 Syrians from host communities and refugee camps. For example in August 2017, the government began issuing a new type of flexible work permit to Syrians in the construction sector, which it estimated would benefit at least 20,000 laborers; the permit legalized the status of these workers in the sector and allowed Syrians to work for multiple construction sector employers in a 12-month period. In 2017, the Ministry of Education (MOE) increased Syrian refugees' access to public education by doubling the number of schools that could accommodate an additional 50,000 Syrian refugee children. The MOE also established an accelerated educational program for Syrian refugee students who had not been in the formal school system for the last three or more years.

The MOL reduced the total number of labor inspectors from 237 in 2016 to 200 in 2017; inspectors were responsible for enforcing the labor code, including inspecting child labor violations across the country. In 2017, MOL conducted 79,589 labor inspections in the formal and informal sectors. In 2017, it also conducted 6,337 inspections focused on child labor, opened 420 child labor cases, and issued 328 warnings to employers for child labor violations. The government continued to conduct labor inspections in the agricultural sector in 2017, but found no labor violations or potential trafficking crimes;

nevertheless, MOL officials continued to report that there was not a clear regulatory framework for inspections of this sector, while it also lacked sufficient resources to monitor this sector. The MOL reported 36 instances of labor violations committed by recruitment centers in 2017. In 2017, the MOL implemented new regulations that required labor recruitment companies to maintain insurance policies for workers, which provided repatriation costs, health care, and death benefits. The Ministry of Foreign Affairs continued to report its finance department directly paid locally-hired domestic staff of Jordanian diplomats posted abroad, in accordance with labor laws and wage rates in the host country. The government did not provide specific anti-trafficking training for its diplomatic personnel, nor troops or police before their deployment abroad as peacekeepers.

TRAFFICKING PROFILE

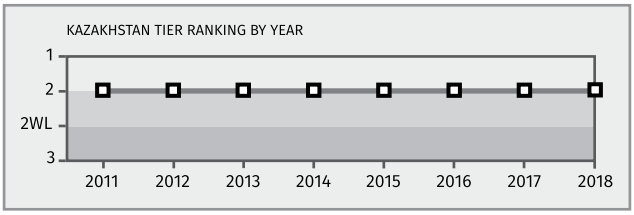
As reported over the past five years, Jordan is a source, transit, and destination country for adults and children subjected to forced labor, domestic servitude, and sex trafficking. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. Forced labor victims in Jordan experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, unsafe living conditions, long hours without rest, isolation, and verbal and physical abuse. Jordan relies on foreign migrant workers—many of whom are undocumented—in several sectors, including construction, agriculture, textiles, and domestic work. According to an NGO in 2017, domestic and agricultural workers in Jordan are the most vulnerable to trafficking because of informal work agreements and frequently changing employers. Some migrant workers from Egypt—the largest source of foreign labor in Jordan—experience forced labor in the construction, service, and agricultural sectors. In 2015, the government estimated there were 53,000 foreign female domestic workers in Jordan, primarily from Southeast Asia and East Africa. Men and women from throughout Asia migrate to work in factories in Jordan's garment industry, some of whom may be vulnerable to trafficking. As of 2017, instances of workers paying unauthorized recruitment fees to labor recruiting agents in their country of origin reportedly declined.

Refugees from Syria, the Palestinian Territories, and Iraq are highly vulnerable to trafficking in Jordan. Syrian boys and young men—in particular—often work illegally and informally in the Jordanian economy, which puts them at risk of trafficking. NGOs have observed an increase in child labor and potential forced child labor among Syrian refugee children working alongside their families in the agricultural and service industries, as well as peddling goods and begging. Because the agricultural sector in Jordan is inadequately regulated, children working in this sector may be susceptible to exploitation. There have been reported cases of Syrian refugee women and girls sold into forced marriages.

Some Syrian and Jordanian girls are forced to drop out of compulsory school to perform domestic service in their families' homes; some of these girls are vulnerable to trafficking. Jordanian children employed within the country as mechanics, agricultural laborers, and beggars may be victims of forced labor. Lebanese, North African, and Eastern European women may be forced into prostitution after migrating to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be forced into prostitution. As reported by an NGO in 2016, some Egyptian women are forced to beg or forced into prostitution by their Jordanian husbands. Some out-of-status domestic workers from Indonesia, the Philippines, Bangladesh, and Sri Lanka have been reportedly forced into prostitution after fleeing their employers.

KAZAKHSTAN: TIER 2

The Government of Kazakhstan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kazakhstan remained on Tier 2. The government demonstrated increasing efforts by expanding protection of victims by opening seven new shelters for Kazakhstani human trafficking victims, increasing funding for shelter and victim assistance for Kazakhstani victims, and hosting awareness-raising events. However, the government did not meet the minimum standards in several key areas. Efforts to identify and protect foreign victims remained inadequate. Foreign victims could receive comprehensive assistance if they participated in criminal investigations; victims who chose not to participate in these proceedings were ineligible for services and had no legal alternatives to removal. NGOs continued to report allegations of police officers' complicity in human trafficking. While the government convicted two police officers complicit in trafficking crimes, there remained few investigations or prosecutions of police or other government officials suspected of complicity. Legislative norms allowed for alleged traffickers to pay a settlement to victims to withdraw their criminal cases.



RECOMMENDATIONS FOR KAZAKHSTAN

Significantly increase efforts to identify trafficking victims—particularly foreign forced labor victims—among vulnerable populations and refer these victims for assistance; significantly increase assistance for foreign trafficking victims and ensure victim identification and assistance are not contingent on participation in investigation and prosecution efforts; vigorously investigate, prosecute, and convict suspected trafficking cases, respecting due process, including allegedly complicit government officials and police officers; increase funding and resources for anti-trafficking police units; amend laws to remove the option for traffickers to avoid criminal liability through "conciliation of parties," or otherwise ensure such crimes are subject to criminal investigation and prosecution; cease deporting victims and provide legal alternatives to forced repatriation; continue to train labor inspectors to identify victims of forced labor and report potential trafficking cases to the police; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement in or facilitation of trafficking crimes.

PROSECUTION

The government decreased anti-trafficking law enforcement efforts. Articles 128, 134, 135, and 308 of the penal code criminalized all forms of trafficking. However, inconsistent with the definition of trafficking under international law, the law did not include force, fraud, or coercion as an essential element of the crime, but rather considered it an aggravated circumstance.

The law prescribed penalties of three to five years imprisonment for adult trafficking and five to seven years imprisonment for child trafficking; the penalties could be increased to up to 15 years imprisonment under aggravated circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 68 of the criminal code allowed defendants to pursue settlements by paying monetary compensation to the victim in exchange for having the criminal case withdrawn; while this option was not available in cases involving sex crimes against minors, it was an option in cases involving other forms of trafficking under article 128, part 1; in 2017, this article was not applied in any trafficking cases.

Police investigated 101 trafficking cases in 2017, compared to 147 in 2016. The government did not report the number of prosecutions. The government convicted 29 offenders, compared to 45 in 2016; of which, 20 sex traffickers received sentences ranging from two and a half years conditional sentence to seven years imprisonment and eight labor traffickers received sentences of three years and six months to 10 years; one trafficker received a six years and eight months sentence for forced criminality. In addition, the government opened 200 investigations of trafficking-related crimes, including pimping and brothel maintenance. NGOs continued to report traffickers bribed low-ranking police officials to avoid these charges, and alleged that some police officers facilitated forced labor or sex trafficking crimes. In June 2017, the government sentenced the former head of the Aktobe state-run railway station to five years and six months in prison for labor exploitation of three individuals. In June 2017, a local police officer in Aktobe was sentenced to three years in prison for the extortion of a sauna owner for the purposes of commercial sex.

The government maintained its efforts on training police, prosecutors, and judges in the identification, investigation, and prosecution of trafficking crimes and funded police participation in international anti-trafficking conferences. In 2017, the Judicial Academy conducted five training sessions for 183 judges on the protection of trafficking victims during the criminal process. The Ministry of Internal Affairs' (MVD) Trafficking in Persons Training Center conducted eight training sessions on investigative techniques for 143 police officers. An estimated 174 police officers participated jointly with social workers in training events on victim assistance. In all training programs, the government provided the venue while international organizations, NGOs, and international donors covered other costs, including the travel of trainers and provision of training materials. During the reporting period, the government jointly investigated 14 cases related to trafficking in cooperation with foreign governments, including Georgia, Kyrgyzstan, Russia, and Uzbekistan. In 2017, the government extradited two foreign citizens wanted in their home countries for trafficking-related crimes.

PROTECTION

The government increased protection efforts for Kazakhstani victims, but made uneven protection efforts for foreign victims. While it improved the availability of protection services for Kazakhstani victims, efforts to identify and assist foreign victims remained negligible, with no shelters available to foreign victims. The government identified 76 trafficking victims, a decrease from 110 in 2016. Of those, 50 were victims of sex trafficking, 20 of forced labor, and six of forced criminality. All but five of the identified victims were from Kazakhstan; of five foreign victims, four were from Uzbekistan and one from Georgia; five of the Kazakhstani victims were subjected to trafficking in Brazil, four in Bahrain, and three each in Turkey and South Korea, while the rest were subjected to trafficking in Kazakhstan, recruited from rural to urban areas for both labor and sexual exploitation. All 71 Kazakhstani victims identified by the government received assistance from government-funded programs; however, foreign victims were not eligible for assistance in government-funded shelters. In 2017, NGOs reported assisting 177 trafficking victims, compared to 167 in 2016; among these, police referred 22 while 155 referrals came from international organizations, embassies, NGOs, and the victims themselves. Of the 177 trafficking victims assisted by NGOs, 39 were Kazakhstani and 138 were foreigners; 13 were victims of sex trafficking, 158 of forced labor; 36 were female, and 141 male. Of the 138 foreign victims, 131 were from Uzbekistan. The government-funded and NGO-operated trafficking hotline received 1,350 phone calls in 2017, the vast majority of which were requests for information while 13 were referred to anti-trafficking police units; these referrals resulted in six confirmed cases of labor exploitation. Observers noted many foreign victims were reluctant to self-identify to the police due to lack of trust, perceived corruption, and fear of punishment or deportation due to their unlawful status, among other reasons. In cases where law enforcement identified foreign victims, victims often refused to cooperate. According to experts, foreign victims report to local police upon return to their home country, where they feel safer.

In addition to four existing government-funded, NGO-operated shelters, in 2017 the government opened trafficking shelters in seven cities: Almaty, Temirtau, Petropavlovsk, Uralsk, Aktobe, Kyzylorda, and Taldykorgan. The 11 NGO-operated trafficking shelters offered legal, psychological, and medical assistance and were accessible to all Kazakhstani trafficking victims, regardless of gender or age. Shelter services were not conditional upon victim's cooperation with law enforcement. Foreign citizens were not eligible to receive services at these shelters. In 2017, the government allocated at least 162.7 million Kazakhstani Tenge (KZT) ($491,080) to direct victim assistance, including 159 million KZT ($479,910) for shelter assistance and 3.7 million KZT ($11,170) for victim assistance during investigations, an increase from 25.97 million KZT ($78,390) in 2016. The shelters were opened and staffed in accordance with the 2016 established standards for trafficking victim shelters. In 2017, a law on victim compensation was adopted, which allowed victims, including foreign victims to request monetary compensation as a part of the criminal proceedings, instead of filing a civil suit in conjunction with the criminal case; the law was scheduled to be implemented in 2020.

NGOs reported effective victim referral and police cooperation with anti-trafficking units assigned to each region. Law enforcement units mandated to address migration or trafficking issues have a formal system to identify trafficking victims among at-risk persons, such as undocumented migrants or persons in prostitution; nonetheless, officials' efforts to identify foreign victims were limited. The government encouraged victims—including foreigners—to participate in investigations and prosecutions by providing witness protection during court proceedings, access to pre-trial shelter services, and basic provisions such as food, clothing, and medical and legal assistance. However, if a criminal case was not initiated, authorities did not recognize or give protective status to foreign victims. In 2017, the government provided two foreign victims legal protection (compared to 15 foreign victims in 2016), including suspension of deportation proceedings, and special temporary residency throughout the criminal investigation.

NGOs reported foreign victims sometimes experienced problems in accessing local medical care due to a lack of health insurance or residence permits. The government did not offer legal alternatives to foreign victims' removal to countries where they would face retribution or hardship and, according to local law, victims were deported after expiration of their temporary residency rights. In 2017, there were no reports of authorities criminally punishing victims for crimes as a direct result of being subjected to trafficking; however, authorities routinely detained and deported possible foreign victims with no proactive efforts made to screen for trafficking victimization, offer referral to care providers, or ensure they were not penalized for crimes committed as a result of their trafficking.

PREVENTION

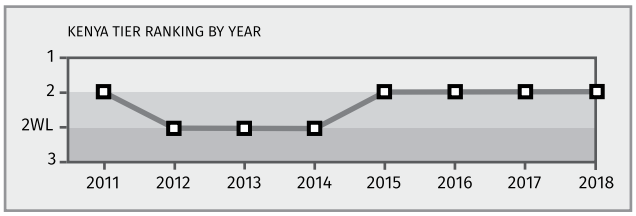
The government maintained prevention efforts, under the direction of the Interagency Trafficking in Persons Working Group, led by the Ministry of Health and Social Protection. During the reporting period, the government adopted a new Concept of Migration policy for 2017-2021 and an associated Action Plan. This policy addressed internal and external migration challenges, particularly the status of Kazakhstan as a destination country. The government completed implementation of the national action plan for 2015-2017, which included activities to improve anti-trafficking legislation; investigation and prosecution of human trafficking cases; victim identification and assistance; cooperation with international and NGOs; and prevention efforts such as public awareness programs. The government developed an anti-trafficking national action plan for 2018-2020, but did not formally adopt it during the reporting period. The government continued to fund anti-trafficking information and education campaigns targeting potential trafficking victims, including children. The Ministry of Information and Communication funded radio and television programs, as well as the publication of newspaper articles and web-publications, designed to raise public awareness and prevent the crime. In July 2017, the MVD began a second annual public information campaign in commemoration of International Day against Human Trafficking. During the campaign, police participated in television and radio programs, conducted presentations at hospitals and tourist information and construction offices, and organized flash mobs at sporting events to raise public awareness of human trafficking. The MVD also distributed information in parks, shopping malls, rail stations, airports, hotels, and markets that included the number for the national anti-trafficking hotline. The hotline received more than 1,325 calls in 2017, which led to the investigation of 13 cases of human trafficking. In 2017, labor inspectors under the Ministry of Health and Social Protection conducted 8,393 inspections to identify labor violations, which resulted in 2,335 recruiters and employers receiving administrative fines for violations of foreign labor recruitment rules and employment of undocumented foreign laborers and the opening of 158 criminal cases by the MVD. NGOs reported receiving an estimated 10.5 million tenge ($31,690) from the government for prevention projects, including public awareness campaigns. The government did not take any action to reduce the demand for commercial sex or forced labor. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Kazakhstan is a destination and, to a lesser extent, a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Domestic trafficking remains a consistent problem, as victims are lured from rural areas to larger cities with *mala fide* offers of employment. Kazakhstani men and women are subjected to forced labor mostly in Russia, but also in Bahrain, Brazil, the Republic of Korea, Turkey, and the United Arab Emirates. Kazakhstani women and girls are subjected to sex trafficking in the Middle East, Europe, East Asia, and the United States. Women and girls from neighboring Central Asian and Eastern European countries, as well as from rural areas in Kazakhstan, are subjected to sex trafficking in Kazakhstan; in most cases, traffickers target young girls and women, luring them with promises of employment as waitresses, models, or nannies in large cities. Some children are forced to beg. Adults and children may be coerced into criminal behavior. The relative economic prosperity in the government capital Astana, the financial capital Almaty, and the western oil cities Aktau and Atyrau, attract large numbers of Kazakhstanis from rural villages, some of whom become victims of labor trafficking and sex trafficking. Chinese, Filipino, Ukrainian, Kazakhstani, and other Central Asian citizens, in particular Uzbekistani men and women, are subjected to forced labor in domestic service, construction, and agriculture in Kazakhstan. Since Russia banned re-entry for an estimated one million Uzbek migrants, many of them have sought temporary work and residence in Kazakhstan, where they remained vulnerable to trafficking; since 2014, the year the ban entered into effect, NGOs have identified more than 100 foreign victims each year, likely only a portion of the overall victims in this migrant population. Many victims of trafficking in Kazakhstan indicate they were lured through fraud and deceit, sometimes by friends or acquaintances, and, at times, exploited by small organized criminal groups in Kazakhstan. Traffickers capitalize on tough law enforcement policies to coerce migrants to remain in exploitative situations and leverage these policies to threaten victims with punishment and deportation if they notify authorities, fostering distrust in law enforcement.

KENYA: TIER 2

The Government of Kenya does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kenya remained on Tier 2. The government demonstrated increasing efforts by commencing digital law enforcement data tracking on a monthly basis, fully implementing its national referral mechanism, and vetting 45 recruitment agencies in compliance with registration requirements and a code of conduct. In addition, officials allocated funding for its victim assistance fund for the first time since 2015. Labor attaches to Kenyan missions in Qatar, the United Arab Emirates (UAE), and Saudi Arabia became fully operational to protect citizens employed in those countries. However, the government did not meet the minimum standards in several key areas. Kenyan authorities continued to treat some victims as criminals, and the availability of protective services for adult victims remained negligible. There were no investigations into official complicity despite credible reports of traffickers obtaining fraudulent identity documents from corrupt officials. The government also routinely tried trafficking crimes as immigration or labor law violations rather than under the anti-trafficking law, which resulted in traffickers receiving less stringent sentences.



RECOMMENDATIONS FOR KENYA

Increase protective services available to adult trafficking victims, particularly those identified and repatriated from overseas; ensure potential victims are not inappropriately penalized for crimes committed as a direct result of their being subjected to trafficking; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including forced labor cases; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; strengthen implementation of the formal process for law enforcement officials to refer trafficking victims for assistance, including adult trafficking victims and repatriated Kenyans; expand training to all levels of the government, particularly front-line responders, on identifying and handling trafficking crimes; continue to expand oversight of overseas recruitment agencies; and conduct awareness campaigns throughout the country, focusing substantially on rural coastal areas.

PROSECUTION

The government maintained law enforcement efforts, but incomplete data from the government made it difficult to fully assess those efforts. Section 1 of the Counter-Trafficking in Persons Act of 2010 criminalized sex and labor trafficking and prescribed a sufficiently stringent punishment of no less than 30 years imprisonment or a fine of not less than 30 million Kenyan shillings ($290,700). By allowing for a fine in lieu of imprisonment for sex trafficking, these penalties were not commensurate with those for other serious crimes, such as rape. Sections 14 and 15 of the Sexual Offenses Act of 2006 criminalized the facilitation of child sex tourism and "child prostitution," and prescribed punishment of no less than 10 years imprisonment, penalties that were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government reported an increase in the number of cases it prosecuted under the anti-trafficking law compared to previous years in which it more commonly utilized the 2006 Sexual Offenses Act, exhibiting a stronger understanding of how to effectively employ the anti-trafficking law.

During the reporting year, the government began tracking law enforcement data digitally and collecting it on a monthly basis from local police offices in order to ensure its anti-trafficking statistics were accurate, complete, and wholly representative of all 47 counties in Kenya. However, as the government had only begun to implement this change in data collection, it reported partial data from only some regions for the current year. It reported 35 investigations of potential trafficking cases in 2017, compared to 530 in 2016 of which many included smuggling and other trafficking-related crimes. From official data derived from an unknown number of counties in Kenya, the government reported initiating nine sex trafficking prosecutions under the anti-trafficking law; during the previous reporting period, it completed 281 prosecutions, many of which were for smuggling vice trafficking crimes and prosecuted under other laws. At the close of the reported period, the government did not report any trafficking convictions, and the nine prosecutions remained ongoing, compared with 105 convictions in 2016. Prosecutors continued to charge some defendants with immigration violations or labor exploitation vice human trafficking, as the former crimes were deemed easier to prove and less financially costly than the latter. The government did not report the number of prosecutions or convictions it attained under the Sexual Offense Act or the number of those for forced labor; however, various stakeholders reported at least 300 trafficking-related prosecutions during the year, although the government was unable to provide conviction and sentencing details for such crimes.

Corruption remained endemic at all levels of government, and traffickers were able to fraudulently obtain identity documents from complicit officials, and police often took bribes to warn traffickers of impending operations and investigations. The government did not report any investigations, prosecutions, or convictions of government employees involved in human trafficking. The national police service, in partnership with an international organization, included content on human trafficking and the anti-trafficking law in its basic training curricula. In 2017, two Kenyan NGOs provided training for an unknown number of police officers and prosecutors in the six coastal counties on how to differentiate between trafficking and smuggling crimes, and multiple international organizations and stakeholders trained an unknown number of immigration officials and airport contractors on how to detect trafficking crimes; the government provided logistical support for these training endeavors. During the reporting period, Kenya Airways—of which the government is the largest shareholder—coded plane tickets to highlight suspected trafficking cases and flagged those for government officials to intercept during transit at the Kenya International Airport; it did not report how many cases were investigated as a result of this initiative.

PROTECTION

The government demonstrated uneven protection efforts as it improved identification of and institutional protections for children domestically and adults abroad; however, such services for adult victims in-country remained negligible. Authorities reported identifying and referring to care at least 352 trafficking victims in 2017, of which the vast majority—267—were subjected to forced labor, seven to sexual exploitation, and the remainder unknown; this was compared with its identification and protection of 530 victims in 2016, although many were likely involved in smuggling. During the reporting period, the government provided 60 million Kenyan shillings ($581,400) from the federal budget for anti-trafficking efforts, including implementation of the National Referral Mechanism (NRM) and the victim assistance fund, which is a marked increase from no funds provided during the previous period. By the end of 2017, the government fully implemented the NRM and trained relevant stakeholders on its identification and referral provisions. According to multiple government and civil society stakeholders, identification of child trafficking victims remained stronger than for adults. Identification sources included direct referrals to NGOs from victims or witnesses; reactively by police during investigations; or calls to the government-operated, gender-based violence or NGO-run hotlines. The two national hotlines were operational 24 hours per day, year round; however, unlike the previous two years, the government did not report how many calls either line received during the reporting period. Victim care varied in quality and services consisted of medical care, psycho-social counseling, rehabilitation and reintegration support, food and clothing supply, legal aid, and transportation. The government and NGOs across Kenya jointly provided these

protective provisions, although sometimes NGOs acted alone when the government was too slow or neglected to respond. The government placed some child victims in child-specific rescue centers, supported the familial reunification of others, and assisted with the repatriation of non-Kenyan nationals. It operated drop-in referral centers in Mombasa (Likoni), Malindi, Nyeri, Machakos, Meru, Kakamega, Kisumu, Nyamira, Nakuru, Eldoret, Kericho, and Muranga, and four rescue centers in Garissa, Nairobi, Thika, and Machakos, where child victims of violence, including trafficking victims, could stay for up to three months before returning home or being referred to NGO facilities.

To continue addressing the exploitation of Kenyan nationals in Arabian Gulf States, in addition to the Ministry of Labor (MOL)-assigned labor attaches already working in Kenyan missions in Qatar and Saudi Arabia, attaches began working in the UAE during the reporting period to assist citizens employed there. The government also concluded bilateral labor agreements with Saudi Arabia and Qatar to coordinate efforts to reduce cases of exploitative labor and other abuses against Kenyans abroad, to include trafficking; it was under negotiations for such agreements with the UAE and Kuwait at the close of the reporting period. It provided ad hoc monetary and logistical assistance for repatriation of its citizens subjected to trafficking outside Kenya. In some cases, NGOs and destination-country governments coordinated and funded the repatriation of Kenyan nationals without government support. Officials assisted more than 70 Kenyans with their return in 2017, mostly due to poor labor conditions, and an NGO and an international organization reported repatriating 46 Kenyan nationals from Gulf States.

Some officials continued to conflate smuggling with trafficking and arrested, without screening, potential trafficking victims for contravening immigration laws. Reports also alleged authorities treated some victims as criminals, particularly women in prostitution, sometimes charging them with labor violations. The government had formal procedures to encourage victims' cooperation in the investigation and prosecution of trafficking crimes, and during the reporting period seven victims utilized the government's victim-witness protection program. Under the anti-trafficking act, officials may grant permission for foreign trafficking victims to remain indefinitely in Kenya if it is believed they would face hardship or retribution upon repatriation; the government did not report using this provision during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. Authorities continued to implement the 2013-2017 national action plan through capacity building for officials and employment of the referral mechanism; it commenced development of an updated 2018-2022 version. The advisory committee—the governing body for anti-trafficking efforts—convened quarterly during the reporting period. The advisory committee and other government officials continued to promote anti-trafficking awareness, particularly targeting the prevention of child sex and labor trafficking. The government also launched a campaign centered on Human Trafficking Awareness Day using highway billboards and community outreach programs. Two NGOs organized campaigns via radio interviews, public fora, and conferences with local governments, effectively reaching around 70,000 people in critical coastal regions. However, the government's anti-trafficking awareness efforts were largely limited due to resource constraints.

In 2017, the government fully implemented the rules published the year prior, which outlined registration requirements for hundreds of private employment agencies that place Kenyans in work abroad. These requirements included informing Kenyan employees seeking work abroad about their prospective wages, visa fees, airfare, and medical examinations, and specifying that any administrative costs imposed on the employee should not exceed one month's salary. The MOL required contracts deemed credible to be signed in the presence of a labor ministry officer, and required applicants to register with the Kenyan embassy in the host country. During the reporting period, the MOL approved registration for 45 private employment agencies—up from 25 the previous reporting period—and prohibited hundreds of others from recruiting in Kenya; however, the list of vetted employment agencies registered by the MOL was not readily accessible and numerous illegal, unregistered agencies remained in operation. The government reported working only with travel and tourism companies that were part of a Code of Conduct consortium, which was an industry-driven responsible tourism initiative intended to provide awareness, tools, and support to the tourism sector to prevent the sexual exploitation of children. The code was an agreement signed by companies that committed their staff to training on the identification of child exploitation among foreigners and created a general awareness within their facilities. While government efforts to curb child sex tourism improved during the year, local reports claimed most government efforts involved prohibiting the entry of perpetrators into the country rather than arrests and prosecutions. The Ministry of Foreign Affairs provided anti-trafficking training for all newly posted diplomatic personnel and vetted employment contracts between Kenyan diplomats posted abroad and their domestic workers to ensure their legality. The government's training for troops deployed overseas on international peacekeeping missions included a module that addressed human trafficking.

TRAFFICKING PROFILE

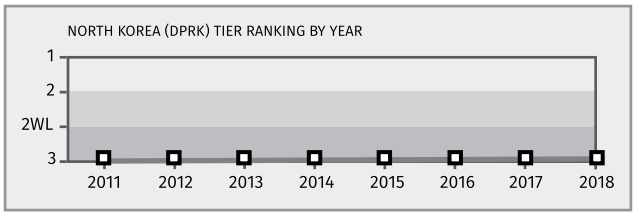
As reported over the past five years, Kenya is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Within the country, children are subjected to forced labor in domestic service, agriculture, fishing, cattle herding, street vending, and begging. Girls and boys are exploited in commercial sex throughout Kenya, including in sex tourism in Nairobi, Kisumu, and on the coast, particularly in informal settlements; at times, their exploitation is facilitated by family members. Children are also exploited in sex trafficking by people working in *khat* (a mild narcotic) cultivation areas, near gold mines in western Kenya, by truck drivers along major highways, and by fishermen on Lake Victoria. Kenyans are recruited by legal or illegal employment agencies or voluntarily migrate to Europe, the United States, Southeast Asia, and the Middle East—particularly Saudi Arabia, Lebanon, Kuwait, Qatar, the UAE, and Oman—in search of employment, where at times they are exploited in domestic servitude, massage parlors and brothels, or forced manual labor. NGOs reported that internally displaced persons, particularly those who live close to a major highway or local trading center, are more vulnerable to trafficking than persons in settled communities. Nairobi-based labor recruiters maintain networks in Uganda and Ethiopia that recruit Rwandan, Ethiopian, and Ugandan workers through fraudulent offers of employment in the Middle East and Asia. Kenya continues to serve as a transit point for Ethiopians and other East Africans seeking work in South Africa, impeding Kenyan authorities' ability to differentiate between trafficking and smuggling. Kenyan women are subjected to forced prostitution in Thailand by Ugandan and Nigerian

traffickers. Men and boys are lured to Somalia to join criminal and terrorist networks, sometimes with fraudulent promises of lucrative employment elsewhere.

Kenya's largest refugee camp complex, Dadaab, hosts approximately 230,000 refugees and asylum-seekers, and at times the security situation inhibits some humanitarian access, assistance, and protective services. Some children in Dadaab and Kakuma refugee camps may be subjected to sex trafficking, while others are taken from the camps and forced to work elsewhere. Children from East Africa are subjected to forced labor and sex trafficking in Kenya. Stakeholders assert domestic workers from Uganda, pastoralists from Ethiopia, and others from Somalia, South Sudan, and Burundi are subjected to forced labor in Kenya to work in jobs vacated by Kenyan youth who are being educated; however, this trend is reportedly waning. Nepalese and Indian women recruited to work in *mujra* dance clubs in Nairobi and Mombasa face debt bondage, which they are forced to pay off by dancing and forced prostitution.

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF: TIER 3

The Government of the Democratic People's Republic of Korea (DPRK or North Korea) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore the DPRK remained on Tier 3. The government did not demonstrate any efforts to address human trafficking and the government continued state-sponsored human trafficking through its use of forced labor in prison camps, as part of an established system of political repression, and in labor training centers, facilitation of forced labor of students, and its exportation of forced labor to foreign companies. It used proceeds from state-sponsored forced labor to fund government functions as well as other illicit activity. It did not screen for or protect potential trafficking victims when they were forcibly repatriated from China or other countries.



RECOMMENDATIONS FOR THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

End the use of forced labor, including in prison camps used as a tool of political repression, and among North Korean workers abroad; end the practice of summary executions and other harsh punishments for victims who are forcibly returned from destination countries; provide assistance to trafficking victims exploited in the DPRK and to North Korean victims forcibly returned from abroad; criminalize human trafficking; investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law; eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas; cease the monitoring of overseas workers and the garnishing of their wages for the purposes of furthering forced labor; increase transparency by allowing international human rights monitors to evaluate living and working conditions of workers, both domestically and abroad; forge partnerships with international organizations and NGOs to combat human trafficking; allow North Koreans to choose their form of work, and leave their employment at will; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. North Korean laws did not criminalize all forms of human trafficking. Fair trials did not occur in the DPRK, and the government did not provide law enforcement data. The government did not explain what provisions of law, if any, were used to prosecute trafficking offenses or protect victims. During the reporting period, there were no known investigations, prosecutions, or convictions of traffickers. An NGO report indicated traffickers could be sentenced based on the number of people they exploit, ranging from 10 years to life in forced labor camps, or to the death penalty. The government did not report whether it provided any anti-trafficking training to officials. The government did not report any investigations or prosecutions of government officials for alleged complicity in human trafficking offenses.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services to trafficking victims and did not permit NGOs to provide these services. The government did not exempt victims from being penalized for unlawful acts committed as a direct result of being subjected to trafficking. During the reporting period, the number of North Koreans forcibly returned by Chinese authorities rose significantly. These individuals, including potential trafficking victims, were sent to interrogation centers, where they were subjected to forced labor, torture, forced abortions, and sexual abuse by prison guards, and potentially sent on to prison camps. The government treated returning victims as criminals for crossing the border and North Korean defectors reported instances of the government executing trafficking victims forcibly returned from China. The government reportedly subjected some forcibly repatriated victims who were pregnant to forced abortions, and reports indicated infants born to forcibly repatriated victims while in prison were killed. An estimated 20,000 to 30,000 children born in China to North Korean women and Chinese men are often not registered upon birth, rendering them stateless and vulnerable to possible exploitation. Article 30 of the criminal code partially suspended civil rights of prison camp inmates; government officials used this provision to abuse victims in prison camps.

PREVENTION

The government did not report any efforts to prevent human trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that made them vulnerable to human trafficking in destination countries. The DPRK made no efforts to raise awareness of human trafficking, train government officials, or screen migrants along the border for signs of trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, the DPRK is a source country for men, women, and children who are subjected to forced labor and sex trafficking. Within North Korea, forced labor is part of an established system of political repression and a pillar of the economic system. The government subjects its nationals to forced labor through mass mobilizations, assigned work based on social class, and in North Korean prison camps. The DPRK holds an estimated 80,000 to 120,000 prisoners in political prison camps and an unknown number of persons in other forms of detention facilities, including re-education through labor camps. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, or sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including logging, mining, or farming for long hours under harsh conditions. Political prisoners are subjected to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient food. Many prisoners do not survive.

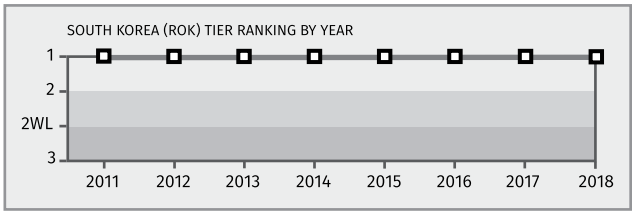
The North Korean government operates regional, local, and sub-district level labor camps and forces detainees to work for short periods doing hard labor, receiving little food and subject to abuse, including regular beatings. Authorities reportedly send people to such camps if they are suspected of engaging in simple trading schemes or are unemployed. Officials occasionally sent schoolchildren to work in factories or fields for short periods to assist in completing special projects, such as snow removal on major roads or meeting production goals. The effects of such forced labor on students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies. At the direction of the government, schools force students older than 14 years of age, including those in universities, to work without pay on farms for periods up to a month, twice a year; students who do not meet work quotas set out by schools face physical abuse. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites.

North Korean laborers sent by the government to work abroad, including through bilateral agreements with foreign businesses or governments, also face conditions of forced labor. Credible reports show many North Koreans working overseas are subjected to working excessively long hours in hazardous temperatures with restricted pay for up to three years at a time. North Korean government "minders" restrict and monitor their movement and communications. These workers face threats of government reprisals against them or their relatives in the DPRK if they attempt to escape or complain to outside parties. Workers' salaries are appropriated and often deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various "voluntary" contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. According to NGO reports, the North Korean government withholds 70-90 percent of wages from overseas workers, which generates an annual revenue to the North Korean government of hundreds of millions of dollars (more than a trillion won). Wages of some North Korean workers employed abroad reportedly are withheld until the laborers return home, increasing their vulnerability to coercion and exploitation by authorities. Other reports note these laborers work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month. During the reporting period, UN Security Council resolutions banned other countries from issuing new work authorizations to DPRK laborers and required the expulsion of current DPRK laborers, consistent with international human rights and refugee law, no later than the end of 2019. Even as efforts continue to reduce the number of overseas workers, there were still as many as 100,000 workers earning revenue for the DPRK regime during the reporting period. The majority work in Russia and China, but workers were also reportedly present in Algeria, Angola, Bangladesh, Burma, Cambodia, Equatorial Guinea, Ethiopia, Democratic Republic of the Congo, Ghana, Guinea, Indonesia, Kyrgyzstan, Kuwait, Laos, Libya, Mali, Malaysia, Mongolia, Mozambique, Namibia, Nepal, Nigeria, Oman, Poland, Qatar, Senegal, Singapore, South Sudan, Tanzania, Taiwan, Thailand, the United Arab Emirates, Uruguay, Yemen, and Zambia during the year. Due to international pressure to repatriate DPRK workers as a means of cutting revenue supporting the DPRK's unlawful nuclear and missile programs, several countries stopped accepting new DPRK laborers and expelled some workers before or at the conclusion of their work contracts.

The North Korean government's egregious human rights violations can fuel trafficking in neighboring China. Many of the North Korean refugees and asylum-seekers living illegally in China are particularly vulnerable to trafficking, and traffickers reportedly lure, drug, detain, or kidnap some North Korean women upon their arrival. Others offer jobs but subsequently force the women into prostitution, domestic service, agricultural, or other types of work through forced marriages. These women are subjected to sexual exploitation by Chinese or Korean-Chinese men, forced prostitution in brothels or through internet sex sites, or compelled service as hostesses in nightclubs or karaoke bars. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. If found by Chinese authorities, victims are often forcibly returned to the DPRK where they are subject to harsh punishment, including forced labor in labor camps or death.

KOREA, REPUBLIC OF: TIER 1

The Government of the Republic of Korea (ROK or South Korea) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore South Korea remained on Tier 1. The government demonstrated serious and sustained efforts by identifying and providing services to a comparable number of victims relative to the previous reporting period, increasing inspections of entertainment businesses, and increasing efforts to reduce the demand for commercial sex acts. Although the government meets the minimum standards, it did not adequately address labor trafficking; the government investigated and prosecuted fewer cases, and penalized and deported trafficking victims due to inadequate identification efforts.



RECOMMENDATIONS FOR THE REPUBLIC OF KOREA

Increase efforts to investigate, prosecute, and convict traffickers under Chapter 31 of the criminal code, particularly for labor trafficking, and punish convicted offenders with sentences proportionate to the crime; train law enforcement officers, prosecutors, and judicial officials to understand "trafficking" does not require kidnapping, buying and selling, force, or confinement; establish and implement standard guidelines to proactively identify victims among vulnerable populations—including individuals arrested for prostitution, disabled persons, migrant workers in all visa categories, and workers on fishing vessels; establish and implement formal guidelines to refer sex and labor trafficking victims to services; designate a government entity responsible for coordinating efforts to combat both sex and labor trafficking; cease the penalization of victims for crimes they were forced to commit as a direct result of being subjected to human trafficking; investigate and prosecute those who use forced labor on South Korean-flagged fishing vessels; actively inspect industries with high potential for exploitation rather than relying on self-reporting of abuse by victims; draft and implement a trafficking-specific national action plan to guide governmental anti-trafficking efforts; establish a hotline to report potential trafficking crimes; proactively investigate and prosecute South Koreans soliciting child sex trafficking victims in South Korea and abroad; increase monitoring of trafficking vulnerabilities in South Korean government-issued entertainment visas, including verifying contracts and monitoring sponsoring establishments; and engage in efforts to reduce demand for forced labor, including in supply chains.

PROSECUTION

The government maintained law enforcement efforts. Chapter 31 of the criminal code criminalized sex and labor trafficking and prescribed penalties of up to 15 years imprisonment for trafficking crimes, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2017, the government reported investigating 448 reported trafficking cases (562 in 2016), indicting 327 suspects (426 in 2016), and convicting 127 offenders (127 in 2016). Police investigated three cases of forced labor involving disabled victims. The government did not initiate any prosecutions under the trafficking statute in 2017. Of those convicted, 42 received suspended sentences and three were sentenced to a fine. Law enforcement entities did not have dedicated anti-trafficking teams. The government cooperated with foreign governments in the investigation and prosecution of sex trafficking cases. The government held numerous trainings throughout the year for prosecutors and law enforcement officers on sex trafficking issues and victim protection; however, government trainings did not address labor trafficking. Officials' understanding of human trafficking continued to be limited and inconsistent; there remained widespread, false perceptions that kidnapping, buying and selling, physical force, or confinement were required to qualify a case as trafficking. As a result, law enforcement and prosecutors pursued most trafficking offenses under provisions of the law with the less severe penalties. A police officer who engaged in commercial sex acts with a child was convicted under the act on the protection of child and juveniles against sexual abuse and sentenced to a fine of 15 million Korean Won ($14,070) and 40 hours of "john school."

PROTECTION

The government maintained efforts to protect trafficking victims. The government identified and assisted 77 foreign sex trafficking victims, compared with 82 in 2016; comprehensive statistics for Korean or labor trafficking victims was unavailable; however the government reported identifying three labor trafficking victims and assisting 7,392 victims of sex trafficking or related crimes in 2017. The government continued to use and distribute guidelines established in 2013 to identify victims of sex trafficking but did not have guidelines to identify victims of labor trafficking. In 2016, the National Human Rights Commission distributed updated identification guidelines to government, but no agency had implemented these guidelines by the end of the reporting period. The Korean National Police Agency was responsible for guiding crime victims, including trafficking victims, from the initial point of contact with law enforcement to protection and support systems; however, the government did not issue or use formal guidelines for referring victims to services. The government did not report efforts to identify potential victims of trafficking aboard South Korean flagged fishing vessels. The Ministry of Gender Equality and Family (MOGEF) supported 96 facilities that provided services to female sex trafficking victims, in addition to victims of other types of crime. These facilities assisted trafficking victims through counseling services, shelter, education, and rehabilitation support. The government made some services offered through these facilities available to male victims, such as counseling, medical, and legal assistance. In addition, the government operated 31 counseling centers and shelters that trafficking victims with disabilities were able to access. Nonetheless, NGOs reported the quality of government services were not adequate for male, disabled, foreign, or juvenile victims. NGOs reported government officials lacked awareness of trafficking issues and did not utilize a victim-centered approach. As a result of ineffective identification procedures, authorities arrested, detained, and deported sex trafficking victims. Police and other government officials often treated female South Korean and foreign sex trafficking victims as criminals, rather than identifying them as trafficking victims. The government offered foreign victims legal alternatives to their removal to countries in which they may face hardship or retribution. As an incentive to encourage foreign trafficking victims to participate in investigations and prosecutions, the government issued G-1 visas with permission to work for up to one year. However, NGOs reported authorities often did not make victims aware of their eligibility for G-1 visas and sometimes deported victims without referring to services. Victims could file a civil suit to receive restitution, and some victims received compensation during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. To raise awareness, the government conducted public service announcements, advertising campaigns, and events; distributed materials online; and publicized its anti-trafficking hotline. The Inspection Team for Implementation of the National Action Plan for the Promotion and Protection of Human Rights was responsible for coordinated governmental efforts to address sex trafficking but did not meet during the reporting period; there was no similar coordinating body for labor trafficking. In an effort to prevent exploitation among E6-2 entertainment visa holders, the government began to require visa holders to receive training on their rights and labor laws. In addition, MOGEF conducted inspections of 256 restaurants, bars, and illegal brothels (101 in 2016), and police arrested 323 building owners associated with illegal entertainment businesses. The Ministry of Employment and Labor (MOEL) inspected 20,000 workplaces for labor exploitation, in addition to 200 workplaces with high numbers of employees with disabilities and 3,069 businesses with foreign workers. The government found 7,053

violations in 1,510 workplaces with foreign workers (3,337 violations in 2016); MOEL instructed businesses to address violations, but it was unclear whether charges were brought against violators. MOEL provided interpretation and counseling services to migrant workers through 42 support centers that were partially funded by the government. The government did not operate a hotline specifically for reporting potential trafficking crimes, but MOGEF continued to operate hotlines in 13 languages that were accessible to trafficking victims, and the Ministry of Oceans and Fisheries continued to operate a hotline for foreign crewmembers on South Korean fishing vessels. The government lacked a trafficking-specific national plan of action; its 2012 human rights national action plan included some anti-trafficking efforts. The government did not make efforts to reduce the demand for forced labor. To reduce the demand for commercial sex acts, in 2017 the government began to require chatting websites and mobile applications to display a notice about sex trafficking and prostitution laws; provided schools, government agencies, local governments, and state-run corporations with anti-prostitution and trafficking education programs; and publicized the illegality of child sex tourism in airports, train stations, and travel agencies. South Korean men remained a source of demand for child sex tourism in Southeast Asia and the Pacific Islands. The government denied passport issuance to 11 South Koreans (four in 2016) for engagement in sex tourism abroad; the Gangwon Provincial Police arrested an individual suspected of operating a blog providing information to potential sex tourists. The government continued to provide anti-trafficking training to troops prior to and after their deployment abroad on international peacekeeping missions.

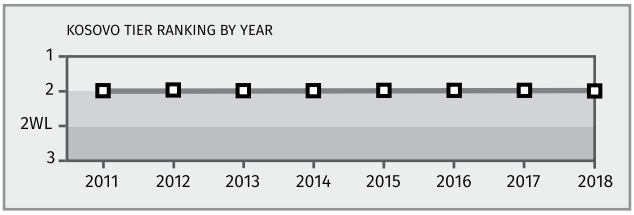
TRAFFICKING PROFILE

As reported over the past five years, the ROK is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. South Korean women are subjected to forced prostitution in South Korea and abroad. Some South Korean women enter destination countries on tourist, work, or student visas and are forced into prostitution in massage parlors, salons, bars, restaurants, or through internet-advertised escort services. Victims who owe debts to entertainment establishment owners or loan sharks are forced into prostitution. Some physically or intellectually disabled South Korean men are vulnerable to exploitation and have been forced to work on salt and cattle farms where they experience verbal and physical abuse, non-payment of wages, long work hours, and poor working and living conditions. Traffickers utilize smartphone applications to exploit victims, and South Korean children are vulnerable to sex trafficking through online recruitment. In need of money for living expenses and shelter, some runaway girls are subjected to sex trafficking.

Men and women from China, Thailand, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea and on fishing vessels registered and operated by South Koreans; some women from these regions are subjected to forced prostitution. Migrant workers, especially those from Vietnam, China, and Indonesia, can incur thousands of dollars in debt, contributing to their vulnerability to debt bondage. Approximately 400,000 low-skilled migrant workers, many employed under the government's employment permit system, work in fishing, agriculture, livestock, restaurants, and manufacturing; some of these workers face conditions indicative of forced labor. The ROK is a transit point for Southeast Asian fishermen subjected to forced labor on fishing ships bound for Fiji and other ports in the Pacific. Foreign fishermen aboard small fishing vessels operating beyond the purview of the government or owners' cooperatives are vulnerable to exploitation, including forced labor. Some foreign women on E6-2 entertainment visas—mostly from the Philippines, China, and Kyrgyzstan—are subjected to forced prostitution in entertainment establishments near ports and U.S. military bases. Some women from China, Vietnam, Thailand, the Philippines, and Cambodia, who are recruited for marriage to South Korean men through international marriage brokers, are subjected to forced prostitution or forced labor after their arrival. Some South Korean men engage in child sex tourism in Vietnam, Cambodia, Mongolia, and the Philippines.

KOSOVO: TIER 2

The Government of Kosovo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Kosovo remained on Tier 2. The government demonstrated increasing efforts by issuing guidance for proactive identification of victims and conducting joint proactive investigations with labor inspectors, prosecutors, and social workers. The Office of the Chief State Prosecutor also appointed a special coordinator for trafficking and established a new database to monitor trafficking cases. However, the government did not meet the minimum standards in several key areas. Judges imposed weak sentences on convicted traffickers, and prosecutors continued to downgrade trafficking cases to lesser crimes. The government decreased funding for NGO-run shelters and had inconsistent funding mechanisms, causing one NGO-run shelter to close temporarily.



RECOMMENDATIONS FOR KOSOVO

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences; provide adequate and consistent funding for NGO-run shelters; designate specific prosecutors and judges to handle trafficking cases; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations, and uniformly implement such protocols; develop written guidance and enhance efforts to identify and assist children subjected to forced begging; reduce the judiciary's backlog of cases, including trafficking-related cases; work with local authorities to establish shelter capacity in the northern municipalities; standardize data collection and create a database that disaggregates statistics for trafficking and trafficking-related prosecutions and convictions; and increase government support for comprehensive vocational training and reintegration services for victims.

PROSECUTION

The government increased law enforcement efforts. Article 171 of the criminal code criminalized sex and labor trafficking and prescribed punishments of five to 12 years imprisonment and a fine. These punishments were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities filed 21 criminal reports for trafficking in 2017 (31 in 2016). Law enforcement arrested 28 trafficking suspects (62 in 2016) and 10 additional suspects for "utilizing sexual services from a trafficking victim" (18 in 2016). The government did not disaggregate trafficking and trafficking-related offenses for prosecution and conviction statistics, likely incorporating cases that were not trafficking, such as "enabling prostitution," "facilitating or compelling prostitution," sexual abuse of children, and child pornography. The government prosecuted 27 defendants (56 in 2016), including one defendant for "utilizing sexual services from a trafficking victim." Courts convicted 29 traffickers (24 in 2016). Judges continued to issue sentences below the minimum penalty of five years imprisonment; one trafficker received five years imprisonment and a fine of €5,000 ($6,000), and 14 traffickers received sentences between 18 months and three years and seven months, but seven traffickers received suspended sentences and seven received fines ranging from €600 ($720) to €3,600 ($4,320). Courts did not reduce the backlog of trafficking cases; 88 cases remained open from previous years. Observers reported the non-specialization of most prosecutors and judges resulted in weak sentences or cases downgraded to a lesser crime, especially cases involving emotional control or psychological coercion of a victim. The government exchanged information with foreign governments on 22 trafficking cases, conducted joint investigations with Albania, and signed an extradition treaty with Hungary.

The Trafficking in Human Beings Directorate (THBD) within the Kosovo Police (KP) investigated all trafficking cases with eight regional units. The THBD established a unit in the four northern municipalities, a region that was recently integrated into Kosovo's judicial system. The THBD conducted joint investigations with prosecutors and social workers and coordinated with the labor inspectorate to conduct 143 joint inspections of bars, nightclubs, restaurants, and massage parlors (120 in 2016). The Office of the Chief State Prosecutor (OCSP) appointed a special coordinator for trafficking, added two prosecutors, and established a new database to monitor trafficking cases. The KP Training Department, in cooperation with international organizations, held 31 training workshops for 83 THBD investigators. The government trained prosecutors on best practices for prosecution and assisting victims in seeking compensation and trained judges and victim advocates on trafficking issues. However, many prosecutors trained under the Yugoslav criminal code required further training on the Kosovo criminal code.

THBD, OCSP, and the KP Inspectorate cooperated to investigate official government employees potentially complicit in human trafficking offenses but did not report prosecutions or convictions. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In 2016, prosecutors indicted two police officers on separate cases of suspected abuse of an official position and sexual exploitation of trafficking victims. Trials were ongoing at the end of the reporting period. In 2014, courts convicted two labor ministry officials for abuse of an official position for issuing work permits to 22 foreign workers, later identified as trafficking victims, and fined each official €3,000 ($3,600); however, the Basic Court acquitted the two officials and allowed them to resume their official duties. In 2016, prosecutors appealed the acquittal but the Court of Appeals refused this appeal and confirmed the case as a final verdict.

PROTECTION

The government maintained victim protection efforts. The government identified 32 trafficking victims (36 in 2016). Of these, 18 were subjected to sex trafficking, seven to forced labor, three to forced begging, and four to "slavery and servitude" (26 were subjected to sex trafficking, nine to forced labor, and one victim to "slavery and servitude" in 2016); 19 were children (18 in 2016); 29 were female and three were male (34 females and two males in 2016); and 25 were from Kosovo, five from Albania, one from the Philippines, and one from Moldova. The government adopted a list of trafficking indicators to assist law enforcement and social service providers in proactively identifying victims; however, observers reported a lack of guidance and proactive identification efforts for victims of forced begging, especially children. A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The NRM required an investigator from the THBD and a victim's advocate from the Victim's Assistance and Advocacy Office to convene and assess the victim as low, medium, or high risk of danger and coordinate victim care and placement. SOPs required a social worker to attend for child victims. Observers reported the NRM functioned well and highlighted good cooperation amongst actors.

The government licensed and partially funded two NGO-run shelters to provide services to trafficking victims, along with the state-run Interim Security Facility (ISF). These shelters provided legal assistance, medical and psychological services, counseling, education, recreational services, and other rehabilitative support. Victims also had access to nine Ministry of Labor and Social Welfare (MLSW) care facilities but the government did not have a care facility in the country's four northern municipalities. ISF temporarily accommodated trafficking victims assessed as high risk. Authorities required victims to have a police escort outside of the ISF while court proceedings were ongoing and required an approval from a prosecutor and the KP for victims to permanently leave the ISF while assessed as high risk. The facility had the capacity to shelter 40 individuals with separate rooms for females, males, and families. Victims stayed at the ISF for an average of 90 days before transferring to a NGO-run shelter. ISF accommodated 35 victims, including five potential victims and two victims identified in 2016. The two NGO-run shelters provided support services to victims assessed as low- to medium-risk; one of these NGO-run shelters was solely for children. Observers reported reintegration programs faced limited success due to a lack of resources and high unemployment. The government allocated €152,870 ($183,520) for victim protection, compared to €171,010 ($205,290) in 2016. The government continued to decrease funds for NGO-run shelters; NGO-run shelters received €72,870 ($87,480), compared to €91,010 ($109,260) in 2016 and €101,930 ($122,360) in 2015. The ISF received €80,000 ($96,040) in 2016 and 2017. NGO-run shelters reported government funding was inadequate and operations could not continue without funding assistance from foreign donors. The MLSW required funding applications every six months, causing a gap in funding while applications were processed and approved. One NGO-run shelter temporarily closed for a month due to the MLSW delaying calls for funding applications.

There were no reports of victims being penalized for unlawful acts committed as a direct result of being subjected to human trafficking. The government encouraged victims to participate in investigative and judicial processes by providing protection at ISF, accommodation and care at other facilities, and participation in the witness protection program. All 32 victims participated in investigations and court proceedings (36 in 2016). The law entitled foreign victims to a 30- to 90-day reflection period in which victims could recover before deciding whether to cooperate with law enforcement. The government reported suspected traffickers were not present when victims provided statements and foreign victims could return to their countries of origin after testifying without waiting for the conclusion of the trial. The law entitled foreign victims to a temporary residence permit for at least six months; one victim received a permit (two in 2016). The government allocated €100,000 ($120,050) to the crime victim compensation fund and established a compensation committee to review claims; the first trafficking victim was compensated in December 2017 with approximately €5,000 ($6,000).

PREVENTION

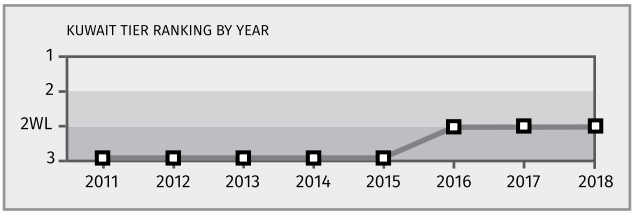
The government maintained efforts to prevent trafficking. The National Agency Against Trafficking in Persons (NAATIP) coordinated interagency efforts and held monthly meetings to monitor the implementation of the 2015-2019 anti-trafficking national action plan (NAP). The government did not report the amount of funds allocated towards implementation of the NAP in 2016 or 2017, compared to €288,000 ($345,740) in 2015. NGOs reported strong cooperation with NAATIP and the national coordinator, including the responsiveness to recommendations and concerns. The government continued an annual month-long campaign aimed at potential trafficking victims; 28 of 38 municipalities allocated funds to participate in the awareness campaign. The government distributed pamphlets at border posts with Albania with information on how to seek assistance and held lectures on trafficking issues. The government-operated hotline for victims of domestic violence and other crimes received 907 calls, including seven potential trafficking cases that led to two investigations. The government produced a video on how citizens can reduce the demand for forced labor but did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel and provided them a manual to aid in identifying trafficking victims.

TRAFFICKING PROFILE

As reported over the past five years, Kosovo is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Most victims are internally trafficked for sexual exploitation. Most sex trafficking victims in Kosovo are girls, although Kosovo criminal groups also force women from Albania, Moldova, Romania, Serbia, and other European countries into prostitution. Women and girls are subjected to sex trafficking in private homes and apartments, nightclubs, and massage parlors. Children from Kosovo, Albania, and other neighboring countries are forced to beg within the country. Traffickers subject Kosovo citizens to forced prostitution and forced labor throughout Europe. Marginalized Roma, Ashkali, and Egyptian communities are vulnerable to forced begging and sex trafficking. Government corruption creates an environment that enables some trafficking crimes. Several police officers, labor ministry employees, and other government officials have been charged with or convicted of trafficking crimes.

KUWAIT: TIER 2 WATCH LIST

The Government of Kuwait does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by initiating more investigations and prosecutions; referring significantly more cases of illegal recruitment for criminal investigation; amending the domestic worker law to disincentivize unscrupulous recruiting practices; and operationalizing a government-run central recruitment company intended to reduce recruitment costs and combat illegal recruiting fees. The government also established a specialized prosecutorial unit to expedite trafficking cases, and, formally passed and funded its five-year national strategy to combat trafficking. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Some officials continued to use arbitration and administrative penalties to resolve grievances filed by domestic and other migrant workers, instead of investigating such cases as human trafficking crimes. Protracted litigation and subsequent appeals processes led most victims to decline to file court cases, and widespread corruption sometimes dissuaded workers from reporting trafficking cases to law enforcement. The government did not regularly use formal established procedures for identifying victims, and some foreign workers who quit their jobs without permission were subjected to criminal penalties, detention, and/or deportation. Because the government has devoted sufficient resources to a written plan, that, if implemented, would constitute significant efforts to meet the minimum standards, Kuwait was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Kuwait remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR KUWAIT

Continue to increase law enforcement efforts to investigate, prosecute, and convict traffickers, including Kuwaiti citizens, under the 2013 anti-trafficking law; investigate, prosecute, and convict sponsors and employers who subject foreign domestic workers to involuntary servitude or illegally hold migrant workers' passports; strengthen enforcement of the domestic labor law (law 68/15) to ensure domestic workers rights are protected; fully employ the centralized recruitment company; continue to institute reforms to the visa-sponsored employment system; routinely employ procedures to proactively identify and refer to protection services all victims of human trafficking; continue to train law enforcement officials to identify trafficking victims among vulnerable populations, and proactively screen for human trafficking victims during migrant round-ups to ensure victims are not wrongfully punished; ensure the availability of shelter and services to all trafficking victims; fully implement the new national anti-trafficking strategy; and continue to expand efforts to raise awareness and prevent trafficking.

PROSECUTION

The government demonstrated uneven law enforcement efforts. The 2013 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties ranging from 15 years to life imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the public prosecutor's office created a specialized unit to manage, investigate, and expedite the processing of trafficking cases. During the year, the government investigated 60 potential trafficking cases, an increase from six investigated in 2016. It discovered cases through tips from foreign embassies, civil society, hotlines, and the government-run shelter. Officials prosecuted 22 defendants in 10 cases, compared with 15 perpetrators prosecuted during the previous reporting period. The government charged five defendants (in 10 cases) with forced labor and 17 defendants (in seven cases) with sex trafficking. The government charged all 22 defendants—including four Kuwaiti nationals—with trafficking under the 2013 anti-trafficking law. At the close of the reporting period, the government convicted two sex traffickers and sentenced them both to 15 years imprisonment while it administered life sentences for four other sex traffickers. The trials of 15 defendants remained pending though it sentenced six convicted traffickers; during the previous reporting period the government achieved nine convictions—including one Kuwaiti citizen—under the anti-trafficking law.

The Ministry of Interior's (MOI) Domestic Labor Department (DLD) investigated employers and recruiting agencies, in addition to initiating investigations following grievances filed by employees, NGOs, embassies of labor-sending countries, and private citizens, and subsequently arbitrated such grievances. MOI authorities continued to investigate domestic worker recruitment agencies and residences to ensure compliance with the 2015 domestic labor law. During the reporting period, officials conducted 17,560 such inspections, referred more than 440 for criminal investigations following trafficking screenings, blacklisted 500 employers, and permanently shut down 82 recruitment agencies for domestic labor law contraventions, substantially up from 1,806 inspections, 39 referrals, none blacklisted, and 90 permanent closures, respectively, during the previous reporting period. Generally, Kuwaiti authorities did not categorize or investigate labor violations of domestic workers as human trafficking and continued to typically treat such cases as administrative infractions, using official arbitration resulting in monetary compensation and repayment of back-wages to victims, application of administrative fines, and closure of recruitment firms to resolve such cases; such approaches do not provide adequate deterrence to the commission of forced labor crimes. If a settlement could not be agreed upon, DLD officials referred the case to the courts, and if the complaint involved a gross violation, such as assault or domestic worker abuse, authorities transferred the case directly to the public prosecutor's office. Many domestic worker abuse cases were not prosecuted due to lack of evidence or witnesses, or, in many cases, prohibitively expensive legal fees. In some cases, characterized by local media as including trafficking indicators, the government sought prosecution for abuse or simple assault rather than as violations of anti-trafficking laws.

Although the withholding of workers' passports is prohibited under Kuwaiti law, this practice remained common among sponsors and employers of foreign workers; however, in nearly all of the 3,800 complaints of passport retention received by the government during the reporting period, employers were ordered to return employees' passports. Reports claimed some government officials sold work permits to illegal recruiters or even directly to migrant workers, potentially facilitating trafficking; the government did not report efforts to prosecute and convict officials complicit in trafficking or trafficking-related offenses. The MOI's anti-trafficking unit conducted four anti-trafficking training programs during the reporting year, which covered signs of trafficking and a victim-centered approach to law enforcement efforts and reached 120 trainees across all MOI departments. It also facilitated eight training programs in cooperation with an international organization, reaching approximately 45 front-line responders at the MOI. The DLD produced internal training programs on a weekly basis targeting investigators and labor inspectors.

PROTECTION

The government maintained efforts to protect trafficking victims. During the reporting period, the government identified and referred 48 domestic workers—including 13 of whom were trafficking victims—to its shelter, compared to 76 it referred during the previous one. It provided shelter to a total of 3,000 domestic workers, including some potential forced labor victims, in its shelter dedicated for runaway female domestic workers; this is compared to 5,000 in 2016. The shelter received referrals from embassies, NGOs, international organizations, churches, private citizens, and other migrant workers. Although the government had in place a screening process to identify potential trafficking victims among vulnerable populations, such as foreign migrant workers, domestic workers, and women in prostitution, the extent to which the government employed this proactive screening mechanism during migrant roundups was unknown. The shelter served as a one-stop facility, providing medical and psychological care, repatriation assistance, and access to officials from various ministries to facilitate legal assistance, including filing cases against employers. Residents at the shelter had access to cell phones and adequate freedom of movement. Although a shelter for men was not established during the reporting period, officials allocated and approved a budget for construction of one. The government apportioned an annual budget of 2 million Kuwaiti dinar ($6.6 million) for shelter operations and protection programs for trafficking victims, a slight increase from 1.9 million Kuwaiti dinar ($6.3 million) the prior year. Some international organizations, in conjunction with foreign affairs officials, provided assistance to an unknown number of domestic workers from nations without diplomatic representation in Kuwait who needed to procure travel documentation. Embassies of the Philippines, India, and Sri Lanka maintained their own domestic worker shelters and worked closely with the Kuwait government to seek compensation and legal redress for their nationals subjected to exploitative working conditions in the country. The MOI continued its voluntary repatriation program and facilitated the repatriation of and provided transition assistance for more than 200 foreign domestic workers who were trafficking victims during the reporting period. Separately, the DLD provided repatriation assistance for 858 additional domestic workers and recouped approximately 193,720 Kuwaiti dinar ($643,600). The government allowed victims residing in its shelter to either change sponsors or be repatriated to their country of origin once their residency status was resolved or pending the resolution of a legal case, without respective sponsor approval. It did not report deporting those who faced retaliation or retribution in their respective home countries. In compliance with a UN Security Council Resolution, the government reportedly repatriated North Korean nationals, many of whom were potential trafficking victims. In January 2018, the MOI

offered a general residency amnesty for all visa violators and absconders—including an estimated 154,000 expatriates—to either pay a fine and adjust their status if they were gainfully employed or return to their home countries without paying any outstanding fines and would still be eligible to return to Kuwait with a new work permit; the amnesty period existed for three consecutive months.

In August 2017, the MOI amended provisions of the domestic worker law that pertained to costs of doing business as recruitment professionals. The amendments stipulated that for issuance or renewal of a license for a domestic labor recruitment firm, single offices were required to submit financial deposits of 40,000 Kuwaiti dinar ($132,890) bearing a validity of two years, while larger companies were obliged to present a letter of guarantee worth 100,000 Kuwaiti dinar ($332,230) also with a two-year validity; this allowed the government to build a reserve of funds to adjudicate cases of labor law violations, use the money from the deposits to pay unpaid wages, and also cover repatriation fees. However, systemic challenges, including threat of criminalization and limited access to legal support, remained an impediment to the government's protection efforts. The 2013 anti-trafficking law did not stipulate that victims who flee abusive employers should be immune from prosecution. Therefore, some workers who fled their employers without permission risked criminal penalties and arrest, detention at police stations, and deportation, even if they were fleeing an abusive sponsor. The risk of penalization, coupled with protracted litigation processes and expensive legal fees, discouraged workers from appealing to police or other authorities for protection and adequate legal redress for their exploitation. In addition, it was not uncommon for sponsors to file counter-grievances against trafficking victims who reported their own, which sometimes resulted in administrative deportation or detention of the employees. The government reported public prosecutors willingly tried cases on victims' behalf using their oral and written statements; however, it lacked privacy laws to protect victims against potential retribution and often was unable to provide adequate care for victims throughout the duration of legal proceedings.

PREVENTION

The government increased its efforts to prevent human trafficking. In February 2018, the Council of Ministers officially approved and funded Kuwait's national strategy to combat trafficking and tasked the Ministries of Justice and Foreign Affairs to commence implementation. Several ministries, in collaboration with an international organization, printed and disseminated anti-trafficking pamphlets and actively participated in public awareness campaigns that warned against using illegal domestic worker recruitment companies and stressed the importance of hiring workers with the requisite documentation. Various officials also took part in awareness messages on local television outlets and continued to disseminate pamphlets to educate migrant workers on their rights, which were published in multiple languages in airports, embassies, and labor-recruitment agencies.

In September 2017, the government's new centralized recruitment center, which was developed during the previous reporting period in adherence to the domestic labor law, became fully operational in reducing recruitment costs, curbing illegal recruitment fees, hiring male domestic workers, and securing labor agreements for female employees; the government did not report how many domestic workers the government recruited via this central agency. The domestic labor law (Law 68 /15) guaranteed domestic workers one day off per week, a maximum 12-hour workday, minimum wage paid per month, paid annual leave, and access to file formal grievances at the MOI, among other protections, and 2016 by-laws regulated implementation of this law. Amendments to the 2010 labor law, passed in 2016, increased penalties for non-payment of wages, made mandatory documentation of all paid wages, and required prison time and fines for employers and government officials who failed to adhere to provisions of this law. In January 2018, authorities launched the Mobile Labor Disputes Office to help workers in remote areas of the country file complaints against labor law violating employers. The mobile unit was run by an emergency team of investigators, inspectors, translators, lawyers, and lay volunteers. Officials also unveiled online services that allowed workers and employers to dock and track workplace issues electronically, automatically alerted workers if an employer filed an absconding charge, notified the respective source country embassy, and ensured users the ability to challenge any settlement incurred. During the reporting period, the government received approximately 20,600 official grievances from foreign workers, the most common included pay discrepancies, requests to transfer employment to a different sponsor, and overtime pay disputes. According to government reports, roughly 90 percent of grievances pertaining to employment transfer grievances were resolved in favor of the employee. The grievances unresolved via mediation were referred to the labor courts, with 7,590 cases sent during the year. The government did not report outcomes of the cases referred for criminal investigation or which, if any, would be considered for prosecution under the anti-trafficking law. In January 2017, authorities investigated a Kuwaiti company on suspicion of labor law violations against its foreign workers; at the close of the reporting year, the government was still negotiating with the company and employees to determine punitive charges or fines to levy on the former and adequate compensation for the latter. However, the government repatriated those workers who decided to return home or readjusted the status of those workers who found new employment. Both the DLD and the MOI's anti-trafficking department launched hotlines to assist vulnerable migrant workers, to include potential trafficking victims. The government made appreciable efforts to reduce the demand for commercial sex and forced labor. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

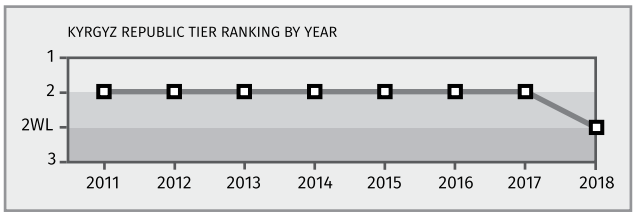
As reported over the past five years, Kuwait is a destination country for men and women subjected to forced labor and, to a significantly lesser extent, forced prostitution. Men and women migrate from Africa, South and Southeast Asia, and the Middle East, to work predominantly in the domestic service, construction, hospitality, and sanitation sectors, and the vast majority arrive voluntarily. Domestic workers are especially vulnerable to forced labor, physical and sexual abuse as they often have limited access to assistance. As conditions remain perilous for many, several labor-sending countries, including Nepal, India, Indonesia, Ethiopia, Zimbabwe, Bangladesh, and most recently, the Philippines, continue to restrict their female nationals from domestic employment in Kuwait. As countries restrict labor movements to Kuwait, the government has commenced recruitment of domestic employees from African labor-sending countries including Uganda, Cote d'Ivoire, Sierra Leone, Ghana, Nigeria, Tanzania, the Gambia, and Liberia, and most recently Cameroon, Togo, Benin, Guinea, and Burundi. Upon arrival, some sponsors subject migrants to forced labor, including non-payment of wages, protracted working hours, deprivation of food, substandard housing,

threats or harassment, physical or sexual abuse, and restrictions on movement, such as confinement to the workplace and passport confiscation. Although the practice is illegal, many migrant workers pay exorbitant fees to recruiting agents in their countries of origin and/or are coerced into paying labor broker fees in Kuwait which, according to Kuwaiti law, should be paid by the employer, thereby rendering workers vulnerable to forced labor, including debt bondage. In some cases, workers are not provided copies of their contracts, or the contracts are not written in a language they can read. Additionally, many sponsors pay high fees to agencies for migrant workers. Some labor recruiting companies facilitate trafficking through the use of deceptive techniques to bring in migrant workers on the basis of unenforceable contracts, fraudulent visas, and nonexistent positions. Reports allege officials take bribes or overtly sell work permits to illegal labor recruiting companies or directly to migrant workers. For more than a decade, reports indicate the Democratic People's Republic of Korea (DPRK or North Korea) has sent more than 4,000 North Korean laborers to Kuwait for forced labor on construction projects, sourced by a North Korean company operated by the Workers' Party of Korea and the North Korean military. According to these reports, employees work 14 to 16 hours a day while the company retains 80 to 90 percent of the workers' wages, and monitors and confines the workers, who live in impoverished conditions and are in very poor health due to lack of adequate nutrition and health care. In a previous reporting period, the government ceased issuing new work visas to North Korean workers, and during the current reporting period, it discontinued visa renewals for these workers.

Kuwait's sponsorship law—which ties a migrant worker's legal residence and valid immigration status to an employer—restricts workers' movements and penalizes them for leaving abusive workplaces; as a result, domestic workers are particularly vulnerable to forced labor inside private homes. Many workers report experiencing work conditions substantially different from those described in the contract. In addition, previous sources report runaway domestic workers are sometimes exploited in forced prostitution by agents or criminals, who manipulate their illegal status. Although illegal, passport confiscation by employers continues to be a common practice in Kuwait.

KYRGYZ REPUBLIC: TIER 2 WATCH LIST

The Government of the Kyrgyz Republic (or Kyrgyzstan) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by adopting a new national action plan for 2017-2020 and developing and piloting victim identification criteria, including measures to prevent unfair criminalization of victims. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not investigate credible reports of serious and endemic corruption that contributed to trafficking or official complicity in detaining and exploiting victims. The government did not report any prosecutions of alleged traffickers. The government did not allocate additional funding for the implementation of its national action plan, and undertook limited victim identification efforts. Therefore Kyrgyz Republic was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR KYRGYZ REPUBLIC

Vigorously investigate and prosecute suspected trafficking crimes, including government officials allegedly complicit in trafficking or who abuse and exploit trafficking victims, and convict and punish trafficking offenders, ensuring the majority of those convicted serve time in prison; increase efforts to proactively identify trafficking victims, particularly among vulnerable groups such as persons in prostitution, and refer victims to protection services; approve and implement guidelines on victim identification and train officials on their use; implement child-sensitive investigation and prosecution procedures for cases in which children may be human trafficking victims; consistent with amendments to the national trafficking law, adopt and implement a national referral mechanism to better identify, assist, and protect potential victims; enact legislation consistent with international law to ensure prosecuting the prostitution of minors does not require proof of force, fraud, or coercion; increase trafficking-specific training for law enforcement, including through contributing to efforts by international organizations to train police, prosecutors, and judges; ensure identified trafficking victims are exempt from punishment for unlawful acts committed as a direct result of being subjected to trafficking; and continue to contribute to NGOs providing assistance to victims.

PROSECUTION

The government decreased law enforcement efforts and did not address a serious 2013 allegation of official complicity. Article 124 of the criminal code criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law also defined trafficking broadly to include "child adoption for commercial purposes." While the president signed into law an update to the existing criminal code to bring article 124 in line with international standards and address these deficiencies during the previous reporting period, the updated criminal code was not projected for implementation until 2019. Article 124 prescribed penalties of house arrest for up to five years or five to eight years imprisonment, which were sufficiently stringent. However, with respect to sex trafficking, by allowing for house arrest in lieu of imprisonment, these penalties were not commensurate with those prescribed for other serious crimes, such as rape. Prosecutors could also charge traffickers using article 260 for engaging a person in prostitution through the use of force or the threat of force or fraud, which was punishable by a fine or imprisonment of three to five years if the victim was an adult, five to 10 years imprisonment if the victim was 14-17 years old, and 10 to 15 years imprisonment if the victim was younger than 14 years old.

The government initiated four trafficking investigations under article 124 in calendar year 2017, including two cases of child trafficking; the government provided no additional information about these cases, such as how many involved sex or labor trafficking. In comparison, the government conducted eight

trafficking investigations in 2016. The government did not report the number of suspects prosecuted, contrasted with the prosecution of five defendants in 2016. Public data indicated that Kyrgyz courts convicted seven individuals under article 124, compared with convictions of 10 traffickers in 2016. The government did not provide information on sentencing.

In 2017, the Ministry of Internal Affairs (MVD) moved the Trafficking in Persons Police Unit from the Criminal Investigations Unit to the MVD's Criminal Militia Service. The unit was the central coordinator for trafficking investigations across the entire country. Experts believed the move raised the profile of trafficking issues within the MVD, and would serve to improve coordination on irregular migration, but some observers expressed concern that the unit focused on tackling organized prostitution or operation of brothels as prohibited under law, rather than identifying victims and investigating trafficking cases. Advocates for victims reported there was a general lack of proactive investigation, especially if victims did not make a specific, well-supported complaint. Civil society actors reported the need for systemic training for law enforcement, prosecutors, and judges, particularly on how to identify victims and work with them as witnesses. The MVD conducted training for the Customs Service on pilot identification procedures. Authorities cooperated with civil society and foreign partners to train police, prosecutors, and judges; based on a 2016 MOU, an international organization and the government collaborated on training 97 judges, 77 prosecutors, and 33 police officers in 2017.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking cases remained significant concerns, inhibiting law enforcement actions during the year. NGOs and international organizations reported law enforcement officials accepted bribes to drop cases and sometimes warned suspects prior to raids. Traffickers were reportedly also able to avoid punishment by offering victims payment to drop cases. The UN special rapporteur on the sale of children, child sex trafficking, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has never investigated the allegations from this report, citing a lack of specific or actionable information.

PROTECTION

The government maintained efforts to protect trafficking victims. In January 2018, the government amended the trafficking law and authorized the creation and use of standard identification procedures and a national referral mechanism; experts have cited these gaps as an impediment to identifying and assisting victims. In 2017, the government, working with an international organization, developed procedures to identify trafficking victims and piloted the standards with law enforcement; the government did not formally adopt these procedures by the end of the reporting period. International organizations and NGOs reported assisting 112 victims in 2017, 89 of whom were subjected to forced labor, 16 to sex trafficking, and three to both labor and sex trafficking; two of the victims were children and 67 victims were male. The government identified and referred two of the 112 victims, compared with one identified victim referred to care by the government in the previous reporting period. Local governments in Osh and Bishkek continued to provide rent-free facilities used by three NGO-run shelters that provided services for trafficking victims. Consular officials assisted an unknown number of victims abroad by providing no-cost travel documents, but the government did not report providing financial or in-kind support for their repatriation. The government did not report identifying or assisting any foreign victims in 2017; shelters reported that they could accommodate foreign victims.

Police did not use child-sensitive procedures when dealing with child victims during case investigation and courts did not provide safeguards to ensure children's privacy and protection; the draft referral mechanism would address the treatment and proper provision of assistance to children, but it was not finalized or implemented during the reporting period. Although experts reported that victims were highly vulnerable to pressure from traffickers to withdraw their complaint or settle informally, for the second consecutive year, MVD's witness protection unit did not report assisting any trafficking victims. Although the law provided for the proper treatment of witnesses, authorities rarely followed it. The government required witnesses to attend multiple public hearings and sit next to their alleged traffickers at trial, which deterred victims from cooperating with police. Government-provided attorneys reportedly lacked knowledge on handling trafficking cases. While the law provided the opportunity to seize traffickers' assets and compensate victims, authorities did not report granting such restitution. According to the 2013 UN special rapporteur report, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts; the government has not yet responded to the report's allegations. Police allegedly extorted bribes from child sex trafficking victims through threats of arrest for commercial sex, even though commercial sex was neither illegal nor an administrative offense. The police's increased interaction with international and local trafficking experts has reportedly led to officers' increased sensitivity toward children found in brothels. However, the continued lack of formal written procedures for the identification and protection of potential sex trafficking victims increased victims' vulnerability to arrest and penalization during brothel raids. There were no reports officials fined, detained, or penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking; due to the lack of formal victim identification procedures, however, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government increased efforts to prevent trafficking. The Coordination Council on Migration continued to coordinate government efforts on migration issues, including combating trafficking in persons. During the reporting period, the Council devoted one session to trafficking in persons and met twice. The Prime Minister issued a decree in November 2017 approving a 2017-2020 national action plan to combat trafficking in persons, the culmination of a draft process that included input from 18 government agencies and NGOs and international organizations. Experts described the 38-objective plan as comprehensive but were concerned that its broad scope may be overly ambitious. The action plan did not include additional government resources to implement the activities, which was indicative of continued reliance on international funding. The government completed 66 percent of the previous national action plan (2013-2016), which included 32 objectives. Several projects related to the previous plan remained in progress. For the first time, the government developed a media action plan to raise awareness on trafficking in persons, but did not provide information on the implementation. The government,

in coordination with an international organization, held awareness-raising events in all seven regions of the country during a 100 Days to Prevent Trafficking Campaign.

The government, with the support of an international organization, continued to operate two employment centers in Bishkek and Osh that in 2017 provided an unknown number of people information on employment services, vacancy advertisements, licensed foreign labor recruitment agencies, and offered pre-departure orientation (which included trafficking prevention) for job-seekers to ensure safer migration and employment. The government also maintained two publicly available databases of private employment agencies: one contained "government licensed" agencies, and the other a list of agencies about which the government received complaints. In 2017, the government revoked a labor recruitment agency's license due to labor recruitment fraud. The government also continued to provide a national toll-free telephone line and office space to an NGO-run hotline that provided legal advice and assistance regarding working abroad; the hotline received 2,909 calls in 2017 and January 2018, which resulted in the identification of four victims. The government continued to provide support for a mobile phone application that provided Kyrgyz migrants with information on the rights of migrant workers and contact telephone numbers including anti-trafficking hotlines and local Kyrgyz embassies. The government did not report providing anti-trafficking guidance for its diplomatic personnel or making efforts to reduce the demand for commercial sex acts or forced labor.

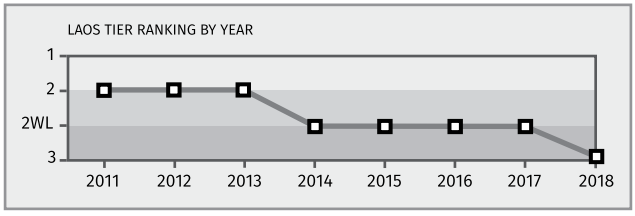
TRAFFICKING PROFILE

As reported over the past five years, the Kyrgyz Republic is a source, transit, and destination country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Adult male labor migrants working abroad are reportedly at the highest risk of trafficking. Kyrgyz men, women, and children are subjected to forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other European countries, as well as within the Kyrgyz Republic, specifically in the agricultural, construction, and textile industries and in domestic service and forced childcare. Kyrgyz children also are subjected to forced labor in the selling and distribution of drugs within the country, and hauling cargo both in the Kyrgyz Republic and neighboring countries.

Women and girls are subjected to sex trafficking abroad, reportedly in Turkey, the United Arab Emirates (UAE), India, Russia, Kazakhstan, South Korea, and within the country. Kyrgyz police officers allegedly exploit female trafficking victims, including some younger than age 18, for sex both in saunas and on the street. Concerns persist about police misconduct and corruption, including allegations that police threaten and extort sex trafficking victims, including minors, and reports that police accept bribes from alleged traffickers to drop cases. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking. Women and underage teenaged girls from Uzbekistan may be subjected to sex trafficking in the southern region of the Kyrgyz Republic. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the country as they migrate to Russia and Kazakhstan, the UAE, and Turkey, where they may be subjected to sex and labor trafficking. International organizations and NGOs reported some Kyrgyz individuals who join extremist fighters in Syria are forced to remain against their will and recruiters may deceive others, including minors, promising jobs in Turkey, before extremist groups force them to fight, work, or suffer sexual servitude in Syria.

LAOS: TIER 3

The Government of Laos does not fully meet the minimum standards for the elimination of trafficking and did not demonstrate overall increasing efforts to do so compared to the previous reporting period. Although Laos meets the criteria for Tier 2 Watch List, because it has been on Tier 2 Watch List for four consecutive years, it is no longer eligible for that ranking and was therefore downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by continuing to investigate, prosecute, convict, and sentence a modest number of traffickers; providing re-integrative livelihood assistance to some returned victims; and conducting awareness-raising activities in Lao communities at elevated risk of forced labor in relation to large-scale infrastructure projects. However, some officials reportedly continued to facilitate and sometimes profit from illicit activities permissive or generative of trafficking vulnerabilities. Lack of awareness among front-line officers and insufficient border security measures likely prevented the identification and service provision of many Lao victims voluntarily returning or deported from neighboring countries. Poor inter-ministerial coordination and policies constraining the operations of non-government service providers continued to impede effective implementation of Laos' national action plan to combat trafficking.



RECOMMENDATIONS FOR LAOS

Strengthen efforts to implement the 2016 anti-trafficking law by investigating, prosecuting, and convicting traffickers, including complicit officials, as well as child sex tourists; disseminate, implement, and train police and border officials on formal victim identification and referral procedures, with a focus on vulnerable groups; screen for trafficking indicators among foreign workers and Lao men and boys working on large infrastructure, mining, and agricultural projects, in special and specific economic zones, and returning from work in foreign maritime industries, and among Lao women in domestic prostitution, Lao women and girls subjected to forced or fraudulent marriages abroad, and foreign women and girls facing deportation; strengthen efforts to secure, formalize, and monitor unofficial border crossings in remote and mountainous areas commonly used by Lao labor migrants returning from abroad, and screen for trafficking indicators among them; collaborate with civil society to implement the 2016-2020 national action plan; increase expenditures from the government anti-trafficking budget for service provision and assistance programs for victims, and expand these services for male victims; in partnership with local and international organizations, increase resources and vocational training to support victims, including male victims, to reintegrate into their home communities; further improve transparency by collecting information on government

anti-trafficking activities, including case details and financial allocations, and share this information among ministries and with non-governmental stakeholders; and strengthen efforts at diplomatic missions overseas to assist in victim identification and protection.

PROSECUTION

The government maintained insufficient law enforcement efforts. Article 134 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from five years to life imprisonment, fines ranging from 10 million to 100 million kip ($1,210 to $12,090), and confiscation of assets, depending on the severity of the crime; these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the Ministry of Public Security reported investigating 69 incidents, culminating in the positive identification of 44 trafficking cases. At the end of the year, there were 29 ongoing investigations (19 investigations in 2016), and the remaining 15 were pending submission to the prosecutors' office. Authorities also initiated 13 prosecutions against 24 alleged traffickers (11 in 2016) and secured convictions in eight cases (six in 2016). The total number of traffickers convicted among these cases was unknown. Nine Chinese individuals were reportedly convicted and sentenced on charges related to forced or fraudulent marriage and subsequently delivered to Chinese custody after first serving jail terms in Laos of between nine months and one year. An additional 31 cases submitted by the anti-trafficking police were pending trial at the end of the reporting period, but further details were unavailable. The government did not provide details on the type of trafficking in each case, nor did it disaggregate sentencing data in all cases per convicted trafficker, but courts imposed penalties ranging from nine months to 16 years with fines of up to 50 million kip ($6,040); authorities reported three individuals were sentenced to prison terms longer than one year. Three prosecutions were ongoing at the end of the reporting period. The government provided no information on prosecutions of foreign nationals in Laos who engaged in child sex tourism; authorities received and confirmed reports from international law enforcement agencies on entrance into Laos by known child sex offenders, but did not make efforts to appropriately monitor them.

The Lao Anti-Trafficking Secretariat collaborated with an international organization to integrate trafficking-specific content into the curricula at state-run degree-conferring programs designed for law enforcement officials. Authorities reported disseminating information to 1,346 provincial government officials and law enforcement officers about the 2015 anti-trafficking law (174 in 2016). With the assistance of an international organization, the Office of the Supreme People's Prosecutor completed a procedural manual for trafficking trials and distributed it to judges and court officers throughout the country; however, due to its delayed release, authorities generally did not implement its provisions during the reporting period. Lao law enforcement agencies continued to cooperate with multilateral organizations and counterpart agencies in China, Malaysia, and Thailand on transnational trafficking investigations—some of which culminated in extraditions—but did not report relevant statistics.

Anti-trafficking organizations and media continued to report some low-level officials contributed to trafficking vulnerabilities by accepting bribes for the facilitation of immigration and transportation of girls to China, including through falsification of travel and identity documents. Observers also reported immigration officials may have enabled the illicit transportation of thousands of undocumented migrant workers from China and Vietnam into Laos for work on large-scale infrastructure, mining, and agricultural projects, where some of them may have been subjected to trafficking. Despite these allegations, the government did not report any investigations, prosecutions, or convictions of officials for complicity in trafficking or trafficking-adjacent crimes during the year.

PROTECTION

The government maintained insufficient victim protection efforts. In furtherance of its adoption of the Coordinated Mekong Ministerial Initiative Against Trafficking in 2016, the government reported producing and disseminating a victim identification manual to Anti-Trafficking Department (ATD) officials throughout the country. However, the government did not take adequate measures to identify domestic or foreign victims. Among the 4,340 Lao individuals confirmed to have been deported or "pushed back" from Thailand in 2017, immigration officials reported referring 167 to NGO services. However, it was unclear how many of these were trafficking victims, and authorities did not systematically screen for trafficking indicators among these groups. This figure marked a significant decrease from the annual average of 10,000 pushback cases in recent years, despite a sharp increase in the number of Lao migrant workers who returned from Thailand as a result of new immigration policies. Observers believed this drove a large number of labor migrants—some of whom were likely trafficking victims—to return to Laos via unofficial border crossings in remote or mountainous regions. Authorities did not adequately respond to this new trend by screening among these groups for trafficking indicators. Front-line officers' lack of awareness often led to conflation between trafficking and smuggling, which may have resulted in the penalization of victims. Authorities reported officially identifying a total of 86 victims (184 in 2016)—22 Lao victims of internal trafficking (85 in 2016) and 64 Lao victims subjected to trafficking abroad (99 in 2016; 143 in 2015). Officials reportedly screened for, but did not identify, trafficking indicators among 50 Lao women arrested during anti-prostitution raids and detained in June and July 2017; ATD officers "educated" them about the illegality of their conduct and issued warnings to the owners of the raided establishments. Observers were concerned some of these women may have been trafficking victims, despite their lack of formal identification. Unlike in prior years, the government did not disaggregate victim identification statistics by type of trafficking, age, or sex. International organizations identified a higher number of Lao trafficking victims abroad than reported by the government.

Most Lao victims exploited abroad were identified by authorities in neighboring countries. Despite allegations of forced labor among foreign workers involved in large-scale infrastructure, mining, and agricultural operations in Laos—and despite the prevalence of foreigners subjected to sex trafficking, often in relation to these industries—the government did not identify any foreign victims during the reporting period. Bilateral security agreements with China and Vietnam appeared to require Laos to repatriate their respective nationals without processing them through relevant legal channels, including the victim screening and referral procedures outlined in the national action plan.

Officials reported developing National Victim Protection Guidelines, although its provisions were unclear, as was the extent to which authorities consulted or implemented this system as part of their anti-trafficking efforts during the reporting

period. Victims were entitled to temporary accommodation, legal advice, health care, education or job training, and sometimes financial and livelihood assistance, although most of these services were provided and funded by NGOs and international organizations with minimal government involvement. The secretariat and local authorities reported engaging in limited direct assistance to victims in 2017, including through provision of 40 head of cattle valued at 160 million kip ($19,340) to 15 male and 17 female victims who returned to their home communities. However, the government did not keep complete records of how many victims benefited from these services during the reporting period. Authorities cooperated with several international organizations to run a transit center in Vientiane, where victims returning from Thailand could stay for approximately one week before being reintroduced to their home communities. A quasi-governmental women's union operated a single short-term shelter in Vientiane for victims of abuse that also offered services to trafficking victims. This shelter was in contact via its hotline with 46 men, women, and children demonstrating possible trafficking indicators; however, it did not report how many among them it positively identified as trafficking victims. In cooperation with an international organization, the government reportedly referred 50 potential victims to this shelter and another run by an NGO in 2017; the government reported only 22 of these individuals, including 11 children, ultimately benefited from shelter services. A lack of adequate long-term support due to limited resources made victims vulnerable to re-trafficking. Although authorities continued to identify male victims during the reporting period—and despite their particular vulnerabilities to labor trafficking in agriculture, mining, construction, and the maritime sector—the vast majority of services were available only for women. The government did not report instances of trafficking victims seeking or securing restitution; according to one international organization, one Lao woman was in the process of suing to recover wages withheld by her employers in Malaysia, but it was unclear if the Lao authorities assisted in any way.

PREVENTION

The government maintained prevention efforts. It formally approved the ASEAN Convention on Trafficking in Persons in April 2017 and presented its instruments of ratification the following May. Authorities signed a new cooperative agreement on anti-trafficking with Thailand and revised preexisting agreements with Vietnam and China. Under the auspices of the latter, Lao authorities traveled to China to consult on cooperative measures to prevent forced and fraudulent marriages—a significant driver of sexual exploitation and forced labor. Anti-trafficking police also conducted interviews with victims in an effort to compile information on hundreds of illicit brokerages and entertainment establishments suspected of the crime throughout the country. The government continued to conduct a range of awareness-raising activities, including production of a television show focusing on trafficking vulnerabilities and, with assistance from an international organization, the creation of mobile advertising groups to educate youth. Authorities also held 33 workshops for more than 4,600 participants across four provinces in order to raise awareness among the communities most vulnerable to forced labor in relation to ongoing construction of a railway connecting China and Laos.

The government did not record complete data on the number of officials who received training on human trafficking. It continued to disseminate information on the 2016 National Action Plan through its national steering committee, which it also ordered to conduct a first annual report on the country's anti-trafficking efforts in conjunction with NGO partners. This assessment was incomplete at the end of the reporting period. In practice, inter-ministerial efforts and coordination on trafficking prevention remained lacking amid resource constraints and restrictions on operating space for civil society. NGOs reported their cooperation with the government was hampered by the Decree on Non-Profit Associations, provisions of which imposed burdensome reporting requirements, prior approval for planned activities, and constraints on the receipt of funding from international donors. The government reported maintaining funding for anti-trafficking activities in its annual budget, but did not provide specific information on how it allocated this funding. Contacts believed the government had insufficient resources and bandwidth to carry out anti-trafficking work due to prioritization of efforts to address other crimes. The government did not provide anti-trafficking training for its diplomatic personnel, nor did it take any discernible measures to reduce the demand for forced labor or commercial sex acts.

TRAFFICKING PROFILE

As reported over the last five years, Laos is a source and, to a lesser extent, a transit and destination country for women, children, and men subjected to sex trafficking and forced labor. Lao trafficking victims, especially from the southern region of the country, are often migrants seeking opportunities abroad who then experience labor or sexual exploitation in destination countries—most often Thailand, as well as Vietnam, Malaysia, China, Taiwan, and Japan. Some migrate with the assistance of brokers charging fees, while others move independently through Laos' 23 official border crossings using valid travel documents. Traffickers take advantage of this migration—and the steady movement of Lao population through the country's 50 unofficial and infrequently-monitored border crossings—to facilitate the trafficking of Lao individuals in neighboring countries. Traffickers in rural communities often lure acquaintances and relatives with false promises of legitimate work opportunities in neighboring countries, then subject them to sex or labor trafficking.

A large number of victims, particularly women and girls, are exploited in Thailand's commercial sex industry and in forced labor in domestic service, factories, or agriculture. Lao men and boys are victims of forced labor in Thailand's fishing, construction, and agricultural industries. Lao victims of forced labor in the Thai fishing industry have been identified in Indonesian waters. NGOs report individuals offering transportation services near the Thai border facilitate the placement of economic migrants into forced labor or sex trafficking in Thailand. Foreign traffickers increasingly collaborate with local Lao middlemen to facilitate trafficking. Many trafficking victims may be among the thousands of migrants deported or "pushed back" annually from Thailand without official notification, often by way of boats across the Mekong River. Recent changes in Thai immigration policy are reportedly driving many among the 100,000 Lao migrant workers in Thailand to cross back into remote, mountainous regions of the country via porous or unsupervised portions of the shared border. Vehicle drivers sometimes intercept these migrants when they return to Laos and facilitate their re-trafficking. Some women and girls from Laos are sold as brides in China and subjected to sex trafficking or forced domestic servitude. Some local officials reportedly contributed to trafficking vulnerabilities by accepting payments to facilitate the immigration of girls to China.

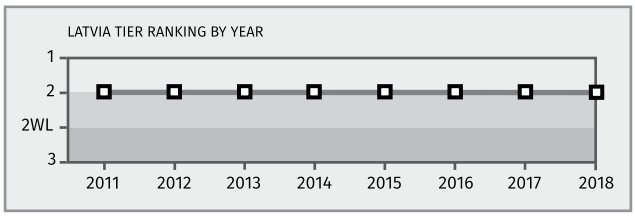
Laos is reportedly a transit country for some Vietnamese and

Chinese women and girls who are subjected to sex trafficking and forced labor in neighboring countries, particularly Thailand. Chinese women and girls are also subjected to sex trafficking within Laos. Some of the Vietnamese men and women working in or near (often illegal) logging and construction areas along the Laos-Vietnam border may be trafficking victims. Burmese nationals work as manual laborers or are involved in prostitution near the Lao portion of the "Golden Triangle"—the geographic area marked by the intersection of the Lao, Burmese, and Thai borders.

Some of the 20,000 registered migrant workers in Lao Special or Specific Economic Zones, along with a high number of undocumented workers in these areas, are reportedly vulnerable to trafficking or other labor abuses. An increasing number of Chinese- and Vietnamese-owned companies reportedly facilitate the unregistered entry of labor migrants from their respective countries into Laos—including with possible assistance from corrupt Lao immigration officials—and subject them to forced labor in mines, hydropower plants, and agricultural plantations. Some Lao adults are subjected to forced labor in these sectors within Laos; children in particular are subjected to forced labor in agriculture—often by their families. Other Lao communities may be vulnerable to forced labor in the ongoing construction of a major railway connecting China and Laos, along with a high number of Chinese migrant workers brought to Laos for the project. Some Vietnamese, Chinese, and Lao women and children are subjected to sex trafficking in larger cities and in close proximity to national borders, casinos, and special economic zones—especially those with heavy Chinese investment—reportedly to meet the demand of Asian tourists and migrant workers. NGOs estimate 13,000 individuals are in prostitution in Lao commercial establishments, with as many as three times that figure operating independently throughout the country. International organizations note insufficient or informal birth registration procedures leave as much as 30 percent of the Lao population without identity documentation, significantly increasing their vulnerability to exploitation. Communities resettled due to the construction of dams and other large infrastructure projects may be especially vulnerable to trafficking. Reports indicate child sex tourists from the United Kingdom, Australia, and the United States have traveled to Laos for the purpose of exploiting child sex trafficking victims.

LATVIA: TIER 2

The Government of Latvia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Latvia remained on Tier 2. The government demonstrated increasing efforts by certifying more victims for the state-funded assistance program, amending labor regulations requiring licensed placement agencies to ensure at least minimum wage for workers hired for employment outside Latvia, and amending the code on administrative violations to protect victims forced to commit crimes. However, despite these efforts, the government did not meet the minimum standards in several key areas. Authorities prosecuted fewer traffickers under the trafficking statute, and courts continued to issue convicted traffickers lenient sentences, usually resulting in no jail time. Officials' lack of knowledge of trafficking indicators impaired proactive victim identification, particularly among women and children exploited in commercial sex. Additionally, children in state orphanages were vulnerable to sex trafficking and ineligible for state-funded trafficking victim assistance program benefits.



RECOMMENDATIONS FOR LATVIA

Vigorously investigate and prosecute trafficking cases under the trafficking statute (section 154-1 of the criminal law) and punish convicted traffickers with stronger sentences; increase efforts to proactively identify trafficking victims, particularly minors in state care institutions induced into commercial sex and victims of sexual exploitation in Latvia's legal prostitution industry; provide specialized trafficking victim services to children in care institutions, such as orphanages; amend regulations to allow for the enrollment of persons from state care institutions into the state-funded victim assistance program; expand efforts to train officials involved in judicial proceedings to understand all forms of trafficking and apply anti-trafficking laws; increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion; and broaden public awareness efforts to educate socially at-risk groups on the dangers of trafficking.

PROSECUTION

The government maintained law enforcement efforts. Sections 154-1 and 154-2 of Latvia's criminal code criminalized sex and labor trafficking and prescribed a maximum penalty of up to 15 years imprisonment, which was sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Judges and prosecutors had the power to reclassify cases from section 154-1 to lesser crimes. Trafficking crimes could be charged under section 164, which criminalized exploiting vulnerability or using deceit to involve individuals in prostitution with prescribed penalties as lenient as community service or a fine. Additionally, law enforcement reportedly were more likely to investigate and charge suspected traffickers for crimes other than trafficking, such as pimping and transfer for sexual exploitation. Authorities used section 165-1, which prohibited the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking by charging perpetrators who attempted to recruit individuals for sexual exploitation schemes abroad.

A 19-officer State Police unit specialized in investigating trafficking, sham marriages, and related crimes. Police investigated seven new cases involving four suspects under section 154-1 in 2017, compared with four cases involving three suspects in 2016. Authorities initiated prosecutions of three traffickers under section 154-1, compared with 11 in 2016. Courts convicted four traffickers in 2017, compared with four in 2016. Three of the convicted traffickers received conditional sentences resulting in no prison time, and one trafficker received a fine. Under section 165-1, authorities investigated eight new cases, prosecuted five defendants, and convicted six suspects during the reporting period; none of the convicted offenders received prison sentences. By comparison, in 2016 authorities investigated 10 cases, prosecuted four defendants, and convicted

10 suspects. A case from 2014 involving two Riga police officers charged with facilitating pimping remained in court at the end of the reporting period. In 2016, the specialized unit reported the first domestic forced labor investigation in at least six years in which 22 Latvian nationals were coerced into working on a local farm and committing criminal acts in exchange for alcohol and debt forgiveness, likely cases of debt bondage. In this case, two suspects were charged with trafficking; the case remained in court at the end of the reporting period. In 2017, police from Latvia and the United Kingdom cooperated on a labor trafficking case involving 12 suspected traffickers—all Latvian nationals who recruited victims in Latvia and exploited them in the United Kingdom. Latvian authorities started the process to extradite four suspects for further prosecution and trial in the United Kingdom.

Perennial issues within the judicial system, such as lengthy trials and lenient sentences, which often resulted in no jail time for convicted traffickers, limited Latvia's prosecution efforts. Observers reported the need for more training for judges, prosecutors, and law enforcement, particularly on applying anti-trafficking laws, working with victims, evidence collection, and understanding psychological coercion. The government supported such training during the reporting period by partnering with an international organization and an NGO to train more than 400 government employees (social workers, law enforcement, and local government staff) on victim identification and referral mechanisms. Additionally, Latvia's judicial center organized a training for prosecutors, judges, and judges' assistants on trafficking involving minors. The police collaborated with international and non-governmental partners to provide training for law enforcement officials, and the State Border Guard trained 25 border guards in victim identification.

PROTECTION

The government increased efforts to protect trafficking victims. The government allowed a second NGO to assist victims in the state-funded, NGO-run victim assistance program for 2017-2018. This program offered victims medical and psychological assistance, legal representation, housing, and reintegration services. In 2017, the government increased funding for the program to €135,110 ($162,200) from €133,275 ($155,990) in 2016. Authorities certified victims for enrollment in the program based on decisions by either law enforcement or an NGO-led panel of experts. Authorities and NGOs certified 24 new victims, an increase from 14 victims in 2016. Six enrollees were male; 18 were female, three of whom were minors subjected to sexual exploitation. Government regulations on assistance to trafficking victims limited state-funded rehabilitation services to six months, although victims whose cases went to trial received assistance, mostly legal counselling, for the duration of the legal proceedings. Police, immigration, and social services had written procedures for identifying victims. The government's trafficking working group reported most government agencies lacked either the practical experience or willingness to identify victims. Experts noted agencies tasked primarily with non-trafficking issues, such as the State Border Guard and the Office of Citizenship and Migration Affairs, did not refer trafficking cases for investigation or victims for assistance. Identifying child sex trafficking victims domestically remained a challenge. Regulations did not allow for the enrollment of persons from state care institutions, such as orphanages, in the state trafficking victim assistance program; observers reported five minors in institutions were reported to law enforcement as suspected trafficking victims. Experts raised concerns about sexual exploitation in Latvia's legal prostitution industry, noting law enforcement's focus on fining individuals who were not in compliance with prostitution regulations or other criminal statutes rather than on identifying potential trafficking victims.

NGOs reported cooperation improved with law enforcement on trafficking investigations. Thirteen registered victims cooperated with law enforcement in 2017, although male victims were often reluctant to work with police because they felt ashamed for having been exploited. Courts had digital video capabilities and audio-recording equipment to protect victims from trafficker-victim confrontation. The criminal law provided special protection measures for trafficking victims, including questioning victims in private rooms by a prosecutor or judge of the same gender as the victim, the right to a closed court hearing, and the right to court-recorded testimony. During the reporting period, the government modified the code on administrative violations to include that administrative liability could also be waived if criminal acts were performed while the individual was subjected to trafficking and forced to commit the crime. In 2017, one trafficking victim received compensation from the state agency for judicial assistance, which administered a crime victims' compensation program. Five trafficking victims received state-funded repatriation and other services through the state assistance program.

PREVENTION

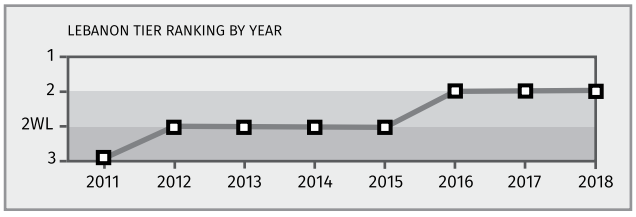
The government increased prevention efforts. The anti-trafficking working group monitored efforts, facilitated inter-ministerial information exchange, and implemented the 2014-2020 national action plan. At the municipal level, the government established two trafficking task forces and trained government employees. The government amended labor regulations to require licensed placement agencies ensure at least minimum wage for workers hired for employment outside Latvia. During the reporting period, the state monitored the activities of licensed employment agencies and canceled licenses for 34 agencies in violation. The labor inspectorate conducted 50 specialized inspections focusing on identifying forced labor; none of these inspections resulted in identified labor trafficking. The labor inspectorate sponsored a Baltic regional conference on topics including labor trafficking. Various ministries contributed to a number of awareness-raising activities, including publishing an illustrated book by trafficking survivors for outreach in schools. The government maintained emergency helplines that received calls on potential trafficking situations. The government did not report any specific measures to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, Latvia is a source country for men, women, and children subjected to sex and labor trafficking. To a lesser extent, Latvia is a source and destination country for exploitation in forced criminality. Traffickers subject Latvian women and girls to sex trafficking in Latvia and other parts of Europe. Government agencies note an increase in child sex trafficking cases over the past few years. Children in state orphanages are particularly vulnerable to sex trafficking. Latvian men and women are subjected to forced labor, mainly in other parts of Europe. The government reports organized crime groups facilitate labor trafficking to Germany and Ukraine. Latvian women recruited for brokered marriages in Western Europe, particularly Ireland, are vulnerable to sex trafficking, domestic servitude, and forced labor.

LEBANON: TIER 2

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Lebanon remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting significantly more trafficking cases and referring an increased number of trafficking victims to NGO-run protective services. The government continued to partner with several NGOs to provide essential services to victims. However, the government did not meet the minimum standards in several key areas. The government did not directly protect victims or fully implement victim identification and referral procedures stipulated in its anti-trafficking law, which resulted in the potential for some victims to face arrest, detention, or deportation for crimes committed as a result of being subjected to trafficking. Moreover, Lebanon's sponsorship system, which places a significant amount of power in the hands of employers of foreign workers, remained a significant impediment to authorities identifying and protecting trafficking victims.



RECOMMENDATIONS FOR LEBANON

Increase prosecutions and convictions of offenders under the anti-trafficking law, and investigate employers and recruitment agents who withhold workers' passports, travel documents, or wages for potential trafficking crimes; increase efforts to ensure trafficking victims are not arrested, detained, or deported for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations; screen all detained domestic workers for potential trafficking victims in detention centers; develop and implement procedures to identify and refer to protection services trafficking victims among vulnerable populations, such as illegal migrants, women holding *artiste* visas, domestic workers, and Syrian refugees; take steps to establish greater oversight over *artiste* visas, a program that contributes to the vulnerability of women to sexual exploitation; increase efforts to train judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and application of the anti-trafficking law; continue to work in partnership with NGOs to screen for, identify, and provide protection services to victims, including witness support during criminal proceedings; prohibit and penalize the withholding of workers' passports and travel documents, reform the sponsorship system to ensure workers are not bound to abusive employers, and allow workers, including *artiste* visa holders, freedom of movement; formally establish the victim assistance fund; adopt and implement the draft national action plan; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers; and launch an awareness-raising campaign.

PROSECUTION

The government significantly increased efforts to investigate and prosecute potential trafficking cases. The 2011 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not have a law that prohibited or penalized confiscation of workers' passports or travel documents by employers or labor agents. Government officials and NGOs continued to report that some judges lacked understanding of the anti-trafficking law and knowledge of best practices for handling trafficking cases, though they noted improvements in the overall consistency of judges' and prosecutors' application of the law.

In 2017, the government reported initiating 134 total trafficking investigations, compared with 71 investigations in 2016. The Internal Security Forces (ISF) anti-trafficking unit investigated 23 cases of suspected trafficking, involving 55 victims of sexual exploitation and child trafficking; this was compared with 20 ISF investigations in 2016. Of the 23 cases, the ISF issued 17 arrest warrants and referred 39 suspected traffickers to the judiciary. The Directorate of General Security (DGS) investigated 111 potential trafficking cases involving migrant workers and other immigrants in 2017, which was a significant increase from 51 investigations in 2016. Among the 111 cases, the DGS referred six to judicial or law enforcement authorities for further investigation and it classified 36 as child labor cases and referred them to the Ministry of Labor (MOL). In 2017, public prosecutors referred 109 trafficking cases to investigative judges, who charged and prosecuted 172 suspected traffickers under the anti-trafficking law; these cases were pending at the end of the reporting period. These cases involved forced prostitution, coerced street begging, and labor exploitation. This demonstrated a significant increase in prosecutions, but a decrease in convictions, in comparison to 2016 when investigative judges charged and prosecuted 71 alleged traffickers, which resulted in 33 convictions under the anti-trafficking law; however, these cases, like many in Lebanon's overworked judicial system, took significant time to resolve. Officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than refer them for criminal prosecution. Additionally, government officials continued to report security forces were reluctant to arrest parents for subjecting their children to trafficking, usually in forced begging, due to a lack of social services available should the child be removed from the family. The government did not report investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, NGOs continued to report a common perception that DGS officers allegedly accepted bribes to protect adult nightclubs or issue *artiste* visas—a program that sustains a significant commercial sex industry and enables sex trafficking. The government encouraged officials to participate in trainings provided by NGOs and during the reporting period, DGS introduced human rights and anti-trafficking training as part of its curriculum for all new DGS recruits. The army continued to require anti-trafficking training for soldiers, while widely distributed military publications featured articles on human trafficking to raise awareness among military officers.

PROTECTION

The government maintained inconsistent victim protection efforts. It referred an increased number of victims to NGOs,

but victims remained vulnerable to punishment for crimes committed as a direct result of being subjected to trafficking. The government did not formally adopt draft procedures for the identification and referral of victims to NGO services; in practice, officials continued to identify and refer trafficking victims to care on an ad hoc basis. During the course of investigations in 2017, the ISF identified 55 victims of sex trafficking and child trafficking that were referred to NGO-run shelters, compared to the 87 victims it identified in 2016. Nevertheless, NGOs reported they received 56 victim referrals from ISF, DGS, and MOL in 2017, which was an increased number from the 46 victims that government officials referred in 2016. During the reporting period, the ISF adopted a policy to route all cases involving potential trafficking victims through its Human Rights Unit, where officers monitored victims to ensure they were properly identified and cared for per ISF guidelines. The government did not directly provide protection services to trafficking victims but continued to work in cooperation with NGOs to provide essential victim services. NGO-run victim care facilities in Lebanon were dedicated only to female and child victims of trafficking; there were no services available or government resources dedicated to male trafficking victims, who comprised a minority of total victims, mostly through coerced agricultural labor. A longstanding Memorandum of Understanding between the government and an NGO required DGS to refer female victims to an NGO-run safe house and provide security for the location. In 2017, the safe house assisted 218 trafficking victims; victims were not allowed to work while receiving assistance at the safe house. The Ministry of Social Affairs continued to coordinate and fund the provision of protection services to child trafficking victims through contractual agreements with NGOs. During the reporting period, the government collaborated with an NGO to initiate a committee dedicated to drafting a handbook outlining best practices and legal requirements for the protection of trafficking victims and witnesses during investigations and trials.

The government continued to arrest, detain, and/or deport unidentified victims for crimes committed as a direct result of being subjected to human trafficking, mainly domestic workers who fled abusive employers and out-of-status or illegal migrant workers, but also women holding *artiste* visas and persons in prostitution. Women holding *artiste* visas were subject to immediate deportation upon arrest for prostitution violations, and foreign workers without valid residence and work permits were subject to detention for one to two months—or longer in some instances—followed by deportation. ISF and NGO representatives observed decreased rates of detention of sex trafficking victims, in part due to coordination between security forces and prosecutors to proactively screen for trafficking among women in prostitution and refer them to care. The DGS continued to operate a 750-person detention center where authorities detained foreign domestic workers for violating the terms of their work contracts or visas. However, the DGS continued to implement procedures for identifying and referring trafficking victims in the detention center to care facilities, and permitted an NGO to interview detainees to identify trafficking victims among the detention center population; the NGO identified and assisted 29 victims in the center in 2017. The NGO continued to report an increased level of professionalism and sensitivity among DGS officials and investigators. The government did not adopt the draft labor law amendment extending legal protections to foreign workers or the draft law to increase labor protections for domestic workers.

Officials did not always encourage victims to file criminal charges against their traffickers, although victims were permitted to file civil suits. Victims were allowed to reside in Lebanon during an investigation of a trafficking case upon a judge's decision, but the government did not report if any judges issued such a decision during the reporting period. Investigations were impeded when victims chose voluntary repatriation rather than facing an often-lengthy trial process because they were not present in the country to testify against their traffickers. NGOs continued to report that foreign victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions because of the lack of protection services or resettlement options during the criminal proceedings. The anti-trafficking law stipulated that money earned from trafficking crimes would be confiscated and deposited into a special fund to assist trafficking victims, but the government did not issue an implementing decree to create such a fund. Except for cases involving Syrian refugees, whom the government did not deport, the government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who faced retribution or hardship in the countries to which they would be deported.

PREVENTION

The government maintained some efforts to prevent trafficking. The national anti-trafficking steering committee continued its monthly meetings throughout 2017. The government did not adopt the draft national anti-trafficking action plan, but relevant ministries continued to take efforts to implement portions of the plan. The government did not organize any anti-trafficking public awareness campaigns during the reporting period. DGS, MOL, and ISF continued to operate hotlines to receive reports of abuse and migrant worker complaints, including for trafficking crimes, but the government did not report how many trafficking victims were identified through these hotlines. In January 2018, the municipality of Tripoli—in cooperation with an NGO—opened a hotline to report cases of exploitative child street begging. DGS continued a program to inform *artiste* visa holders about restrictions and obligations of their visa status upon arrival to Beirut International Airport. Under the program, if the visa holder objects to the visa's terms, she is free to return to her home country. During the reporting period, under a directive from the DGS, airport officers continued to return passports directly to foreign domestic workers upon their arrival in Lebanon. In June 2017, the Ministry of Justice and ISF partnered with an international organization and Lebanon's main air carrier to raise awareness of trafficking and victim identification for airline crews.

The government made some efforts to reduce the demand for forced labor. The MOL had the authority to close or penalize employment agencies that exploited migrant workers, and it maintained a blacklist of an unknown number of recruitment agencies for committing fraudulent recruitment practices; however, the government did not report prosecuting any recruitment or employment agencies for potential trafficking crimes. Unlike in the previous reporting period, the MOL did not report how many employment agencies it closed for labor violations. The MOL and ISF continued to require Syrian nationals to hold work permits in order to work in the formal sector, which bound these refugees to their employers. However, the government continued to ease the ability of some UNHCR-registered refugees to work in three sectors without any work permit—agriculture, sanitation, and construction—by waiving the fee for residence permit renewals, and made some progress on easing the ability of Syrian teenagers to obtain their own legal Lebanese residency documents when they were too old to be legally resident under their parents' statuses. Following

an agreement signed in early 2017 between DGS, MOL, and the Farmers' Union in Lebanon that addressed protections of foreign children—primarily Syrians—under the age of 16 from agricultural work, MOL provided training to DGS officers and farmers in the Bekaa Valley and held awareness meetings across Lebanon on child labor in agricultural work. The government did not take steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

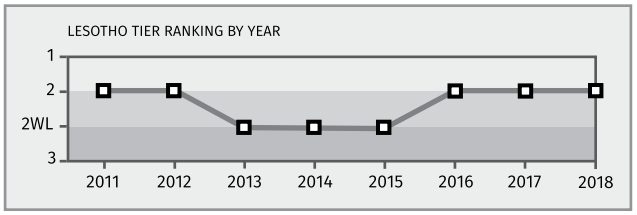
TRAFFICKING PROFILE

As reported over the past five years, Lebanon is a source and destination country for women and children subjected to forced labor and sex trafficking and—to a lesser extent—a destination country for Syrian refugee men subjected to forced labor. Women and girls from South and Southeast Asia and an increasing number from East and West Africa are subjected to domestic servitude in Lebanon. Under Lebanon's sponsorship system, foreign workers who leave their employers' houses without permission forfeit their legal status, increasing their vulnerability to re-trafficking. Lebanese government officials and NGOs report most employers withhold their workers' passports, putting workers at risk of trafficking, and NGOs report that abuse of domestic workers is typically underreported. Many migrant workers arrive in Lebanon through legal employment agencies, but are subsequently placed in abusive or exploitative situations with their employers; some employment agencies recruit workers through fraudulent or false job offers. Women from Eastern Europe and North Africa legally enter Lebanon to work primarily as dancers in nightclubs through Lebanon's *artiste* visa program, which is valid for three months and can be renewed once. The government reported 10,363 women entered Lebanon under this program in 2017; 11,284 *artiste* visa holders entered Lebanon in 2016. The terms of the *artiste* visa prohibit foreign women working in these nightclubs to leave the hotel where they reside, except to work in the nightclubs which sponsor them, and nightclub owners withhold the women's passports and control their movement; these women also experience physical and sexual abuse, withheld wages, and domestic servitude. There are increasing reports that traffickers, including parents, force children to beg in the streets.

Men, women, and children among the estimated 1.3 million Syrian refugees in Lebanon are at high risk of sex trafficking and forced labor. There are some restrictions on Syrians' ability to work legally in Lebanon and the enforcement of visas and residence permit laws increase this population's vulnerability to trafficking. Syrians are commonly involved in the exploitation of other Syrians in Lebanon, particularly targeting refugees fleeing the conflict. For example, traffickers hold Syrian refugee men, women, and children in bonded labor in order to pay for food, shelter, and the cost of transit to Lebanon, and contract out groups of refugees to work in the agricultural sector in the Bekaa Valley. An international organization reported in 2015 evidence of bonded labor within refugee communities where child labor is used in exchange for living in informal tented settlements. Child labor among the Syrian refugee population continues to increase, particularly in agriculture, construction, and street vending and begging. These children are highly vulnerable to labor trafficking, especially in the agricultural sector of Bekaa and Akkar and on the streets of main urban areas such as Beirut and Tripoli. NGOs report that some children are forced or coerced to conduct criminal activity. Syrian women and girls are highly vulnerable to sex trafficking. In March 2016, Lebanese authorities reported on an extensive sex trafficking ring exploiting primarily Syrian women and girls in Beirut; the majority of the women and girls were recruited from Syria with false promises of work and subjected to commercial sexual exploitation in which they experienced mental, physical, and sexual abuse and forced abortions. Syrian girls are brought to Lebanon for sex trafficking, sometimes through the guise of early marriage. Some Syrian refugee women and girls are forced into sex acts or early marriage, often by family members or powerful local families, in order to ease economic hardships; these women and girls are highly vulnerable to trafficking. Syrian LGBTI refugees continue to be vulnerable to sexual exploitation. An international organization reported in 2017 that some employers coerce Syrian refugee men to perform sexual acts through threats of withholding their pay or terminating their employment. An international organization reported in 2016 that some Lebanese children are involved in armed tribal violence in Bekaa and Tripoli, some of whom may be forced to conduct such activity. There is also evidence of children within the Syrian refugee community in Lebanon that are associated with armed groups, who have either fought in the Syrian conflict or intend to fight in Syria as child soldiers.

LESOTHO: TIER 2

The Government of Lesotho does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Lesotho remained on Tier 2. The government demonstrated increasing efforts by identifying and referring significantly more potential trafficking victims to care, initiating an increased number of prosecutions, providing in-kind and financial resources for an NGO partner, and conducting public awareness activities. However, the government did not meet the minimum standards in several key areas. For the second consecutive year, the government did not convict any traffickers or make efforts to address the severe backlog of trafficking cases spanning over five years. Despite ongoing concerns of official complicity in trafficking crimes, the government did not investigate such allegations. The government did not address issues in its legal framework for human trafficking, which did not criminalize all forms of forced labor and sex trafficking and included penalties that were not sufficiently stringent to deter the crime.



RECOMMENDATIONS FOR LESOTHO

Increase efforts to secure convictions for perpetrators of trafficking crimes; increase efforts to investigate and prosecute trafficking crimes, including those involving complicit officials; allocate funds for the Victims of Trafficking Trust Fund and implement procedures for administering the funds; finalize and implement guidelines for proactive victim identification and standard operating procedures (SOPs) for referring identified victims to care, in line with the anti-trafficking act regulations;

allocate funding to support operation of the multi-agency anti-trafficking task force; expand efforts to provide trafficking-specific training to police investigators, prosecutors, judges, and social service personnel; amend the anti-trafficking and child welfare laws so that force, fraud, or coercion are not required for cases involving children younger than age 18 to be considered trafficking crimes; fix jurisdictional issues that prevent magistrate courts from issuing the maximum penalty for trafficking crimes; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; provide anti-trafficking training to diplomatic personnel; increase efforts to systematically collect and analyze anti-trafficking law enforcement and victim protection data; and increase oversight of labor recruitment agencies licensed in Lesotho.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts and the human trafficking law remained inconsistent with the international definition. The 2011 Anti-Trafficking in Persons Act criminalized all forms of labor trafficking and some forms of sex trafficking. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed penalties of up to 25 years imprisonment or a fine of 1 million maloti ($81,200) under section 5(1) for the trafficking of adults and up to life imprisonment or a fine of 2 million maloti ($162,390) under section 5(2) for the trafficking of children. These penalties were sufficiently stringent. However, with respect to sex trafficking, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with penalties prescribed for other serious crimes, such as rape. Section 77 of the Children's Protection and Welfare Act criminalized child sex trafficking offenses without requiring the use of force, fraud, or coercion, but prescribed penalties of a fine not to exceed 30,000 maloti ($2,440) or 30 months imprisonment, or both; these penalties were not sufficiently stringent nor, with respect to sex trafficking, commensurate with other grave crimes, such as rape.

During the reporting period, the government investigated one case of sex and labor trafficking involving 10 victims and initiated 10 prosecutions, which included four sex trafficking cases, two of which were tried under the anti-trafficking act, and six labor trafficking cases, which were all tried under the anti-trafficking act. This was compared with five investigations and six prosecutions (two sex trafficking and four labor trafficking) during the previous reporting period. For the second consecutive year, the government did not convict any traffickers or address the significant backlog of cases, some of which have been pending for more than five years. The government did not report any investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses; however, official complicity in trafficking crimes remained a significant concern, inhibiting law enforcement action during the year. Many law enforcement officials reportedly had limited understanding of trafficking and how to protect victims from potential intimidation. For the third consecutive year, the government did not address a jurisdictional issue impeding efforts to hold traffickers accountable: The magistrate courts, which are the court of first instance for trafficking cases, lacked authority to impose the maximum penalties allowed in trafficking crimes. The government appointed a new magistrate responsible for hearing trafficking cases at the high court as the previous magistrate was moved to another district; however, it did not provide adequate training to magistrates on the anti-trafficking law.

PROTECTION

The government increased efforts to protect victims. The government identified and referred a greater number of potential trafficking victims to care, coordinated with a foreign government to repatriate victims exploited abroad, and referred all potential victims to care. The Child and Gender Protection Unit (CGPU) within the Lesotho Mounted Police Service identified 12 trafficking victims, compared with nine the previous reporting period; the CGPU referred all 12 victims to an NGO that provided counseling and assistance. These efforts represent an increase compared with one referral during the previous period. In a change from previous years, the government provided in-kind and financial support for utilities at an NGO-run shelter throughout the reporting period. However, it did not allocate funding for the Victims of Trafficking Trust Fund for the seventh consecutive year, which was established to ensure consistent provision of protective services and to provide restitution for victims. After a two-year drafting period, the Multi-Sectoral Committee on Combating Trafficking in Persons (MSC) consolidated recommendations and amendments by various directorates for approval by the national referral mechanism and SOPs in spring 2017; however, they were not finalized during the reporting period. According to the chair of the MSC, a draft is with the principal secretary of home affairs for concurrence before going to print. The anti-trafficking act and its implementing regulations prohibited the prosecution of victims for unlawful acts committed as a direct result of being subjected to trafficking, afforded foreign victims permanent residency as a legal alternative to their removal, and encouraged victims to assist in the investigation of traffickers; however, it was unclear whether the government implemented these provisions. Courts allowed testimony via video conferences and one trafficking victim testified in a trial during the reporting period.

PREVENTION

The government maintained its efforts to prevent trafficking through public awareness activities and measures to protect Basotho workers in South Africa. The multi-sectoral committee met two times, and its member ministries conducted public awareness activities, including two radio spots, one television spot, 12 community outreach events, and posting and distribution of printed material in public areas. During the reporting period, the Ministry of Labor and Employment conducted approximately 1,060 inspections of formal sector work sites; however, it did not inspect informal work settings, where forced labor was more prevalent. The number of labor inspectors increased by two over the previous reporting period, from 32 to 34; labor inspectors did not identify any child labor violations in 2017. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. In 2016, the government implemented an agreement signed during the previous reporting period with the Government of South Africa that increased protections for Basotho workers, including domestic workers, employed in South Africa, by authorizing the issuance of long-term work

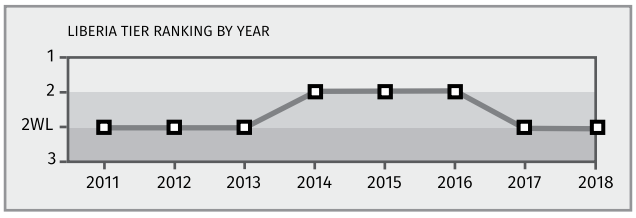
permits, requiring signed employment contracts, and allowing Basotho to register for unemployment insurance in South Africa. The government made no efforts to reduce the demand for commercial sex or forced labor. The regulations for the anti-trafficking act directed the Ministry of Foreign Affairs to provide anti-trafficking training to diplomatic personnel, but it did not conduct such training during the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, Lesotho is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and for men subjected to forced labor. In Lesotho, Basotho children are subjected to domestic servitude and forced labor in animal herding; children, especially orphans who migrate to urban areas, increasingly are subjected to sex trafficking. Basotho women and girls seeking work in domestic service voluntarily migrate to South Africa, where some are detained in prison-like conditions or exploited in sex trafficking. Some Basotho men who migrate voluntarily, although illegally and often without identity documents, to South Africa for work in agriculture and mining become victims of forced labor; many work for weeks or months before their employers turn them over to South African authorities for deportation on immigration violations to avoid paying them. Basotho are also coerced into committing crimes in South Africa, including theft, drug trafficking, and smuggling under threat of violence or through forced drug use. Foreign nationals, including Chinese, subject their compatriots to sex trafficking in Lesotho.

LIBERIA: TIER 2 WATCH LIST

The Government of Liberia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting and convicting four traffickers in one case, its first trafficking convictions in four years, and providing shelter and services for at least three trafficking victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. It did not provide training or basic resources for law enforcement and prosecutors to investigate and prosecute trafficking cases; complicity and corruption inhibited anti-trafficking law enforcement action; and the government did not allocate an operating budget or resources to the anti-trafficking task force or its working-level body, the TIP Secretariat, which severely limited their activities. Therefore Liberia remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR LIBERIA

Increase efforts to investigate, prosecute, and convict traffickers; train and equip law enforcement, immigration officials, and social workers to identify, investigate, and prosecute trafficking offenses; provide operating and victim protection budgets to the anti-trafficking task force; finalize the national referral mechanism, and train law enforcement and social workers on implementation; expand victim services—particularly for victims outside the capital, males, and long-term care—through increased financial or in-kind support to shelters; create and train officials on measures to identify trafficking victims among vulnerable populations, such as people in prostitution; enforce the 2005 law requiring restitution be paid to trafficking victims; increase efforts to educate the public on all forms of human trafficking; continue to assist citizens with registering births and obtaining identity documents; and enact legislation that prescribes sufficiently stringent penalties for adult trafficking and sex trafficking penalties that are commensurate with the penalties for rape.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2005 Act to Ban Trafficking in Persons criminalized labor trafficking and sex trafficking and prescribed minimum sentences of one year imprisonment for adult trafficking and six years imprisonment for child trafficking but did not include maximum sentences. The prescribed penalties for child trafficking were sufficiently stringent, but those prescribed for adult trafficking were not. The penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape or kidnapping.

The government investigated eight suspects in four cases and prosecuted and convicted four traffickers, an increase from four investigations, two prosecutions, and no convictions the previous reporting period. Prosecutors often pursued other charges that were more likely to result in a guilty verdict, including rape, in lieu of sex trafficking. In one case that continued from the previous reporting period, judges prosecuted four individuals for illicit human trafficking, and the primary suspect, a Sierra Leonean, was convicted and sentenced to 10 years imprisonment. The other three suspects—one Sierra Leonean and two Liberians—were convicted for facilitation of human trafficking and each received a sentence of one year imprisonment. These were the government's first trafficking convictions in four years and its first convictions of Liberian traffickers under the 2005 law. A second investigation was ongoing at the end of the reporting period. The government reported investigations of government officials allegedly complicit in human trafficking offenses; however, it did not report efforts to prosecute or convict allegedly complicit officials. Police investigated a government official for involvement in the alleged illegal transport of five Liberian children to the United States in a previous reporting period. It was unclear whether the allegations were for human trafficking or smuggling. A law enforcement official reportedly intervened to hasten the end of the investigation and clear the accused. In January 2018, the United Kingdom expelled two Liberian diplomats. Reports indicated one of several reasons was allegedly facilitating prostitution. NGOs and officials reported some government employees were directly complicit in child trafficking, including for domestic servitude and street hawking.

The Women and Children Protection Section (WACPS) of the Liberian National Police (LNP) was responsible for investigating most trafficking cases. The Ministry of Labor (MOL) was responsible for investigating adult forced labor, and the Liberian Immigration Service (LIS) could investigate transnational trafficking. The LNP did not have dedicated anti-trafficking funding or in-kind support and therefore lacked basic

resources and equipment to fully respond to and investigate allegations of trafficking, especially outside the capital. The government did not provide anti-trafficking training for officials but provided in-kind support for two officials to attend an international training. New WACPS and LIS officials received anti-trafficking training as part of their induction. Officials reported many labor inspectors, police, prosecutors, and judges remained largely unable to identify trafficking, which posed serious impediments to investigating and prosecuting such cases. In addition, some high-level officials did not have a clear understanding of trafficking.

PROTECTION

The government maintained modest efforts to identify and protect trafficking victims. The government and NGOs identified at least four trafficking victims, compared to five trafficking victims and 25 suspected trafficking victims identified the previous reporting period. Poor record keeping outside the capital and inadequate resources hindered reliable data collection, and statistics were often not disaggregated to differentiate trafficking from similar crimes. While the government had standard procedures to identify trafficking victims, authorities reported the majority of law enforcement, immigration, and social services personnel lacked training on such procedures, and some trafficking victims were identified as victims of other crimes. Many officials continued to view internal trafficking, especially child domestic servitude, as a community practice rather than a crime. Due to a lack of awareness of trafficking among authorities and communities, as well as insufficient government resources to identify trafficking victims, most trafficking victims remained unidentified. Despite these shortcomings, the government did not provide training on such measures. The draft national referral mechanism to direct victims towards services, developed by the task force, did not receive final approval for the third year. As a result, the government remained without a formal process to refer victims to care, and agencies responsible rarely coordinated such efforts.

Police and community members generally referred trafficking victims to the Ministry of Gender, Children, and Social Protection (MOGCSP). The anti-trafficking task force working group, of which the MOGCSP was a member—was responsible for coordinating victim care. In cases involving one victim, the members of the task force referred the victim to a government or NGO safe house or coordinated foster care. When authorities identified a group of potential trafficking victims, the individuals were either referred to NGOs for care or funds were provided by either the MOGCSP or the Ministry of Justice to provide care in government shelters. In part because the government did not have consistent funding for victim care and officials did not receive training on referral procedures, not all identified victims of crime, including trafficking, received comprehensive care during the reporting period. While government-provided shelter and services remained basic and short-term, the government took steps to improve the shelters and child protection services broadly. MOGSCP operated two shelters for victims of sexual and gender-based violence and trafficking, as well as 12 transit centers throughout the country, and LNP operated one victim safe house. The shelters provided long-term care and social services, while the transit centers provided medical services and short-term accommodation. In theory, each transit center had at least one social worker, one nurse trained in sexual- and gender-based violence cases, and one police officer on staff; however, resources allocated to each center varied, and officials reported only three of Monrovia's five transit centers had sufficient space and staffing to care for victims. Most of the transit centers did not actually provide short-term accommodations. The Ministry of Health could provide limited medical and psycho-social services. The government relied heavily on NGOs and private shelters when government shelters were unavailable. During the reporting period, MOGCSP embedded two social workers within the WACPS to assist women and children, including trafficking victims, at the police safe house. LNP provided food and other in-kind support to the police safe house, and the government renovated several short-term transit centers during the reporting period. In addition, the MOGCSP provided some funding to support short-term shelter in a transit center and psycho-social support to at least three victims during the reporting period. Shelter and services were available to both domestic and foreign victims. NGO shelters and MOGCSP facilities—including those outside the capital—could accommodate male victims. Adult victims were sometimes allowed to leave the shelters at will; in some cases, however, shelter workers restricted victims from leaving, citing safety and to protect the integrity of the testimony at trial. Shelters often could not protect victims' identities, and stays were limited, usually to three months due to capacity. MOGSCP could arrange foster care for victims who required longer term care. MOGSCP increased collaboration with NGOs through regular meetings of the Child Protection Network, which facilitated government-NGO partnership on child protection cases. The government collaborated with the Government of Sierra Leone to repatriate a Sierra Leonean trafficking victim identified in Liberia.

The government did not systematically encourage victims to participate in investigations and prosecutions of their traffickers but had at times provided victim-witnesses support to offset the costs of participating in a trial; it did not report providing these services during the reporting period. The anti-trafficking law provided for restitution, and victims could file civil suits against their traffickers; no victims received restitution or filed civil suits during the reporting period. The government did not have a formal policy that provided alternatives to removal to countries in which victims would face retribution or hardship but could offer alternatives, including temporary residency, on a case-by-case basis. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, due to a lack of training on victim identification and the absence of measures to screen for trafficking among vulnerable populations, it was possible that victims remained unidentified in the law enforcement system.

PREVENTION

The government maintained minimal efforts to prevent trafficking in persons. The anti-trafficking task force met irregularly and neither the anti-trafficking task force nor the TIP Secretariat had an operating budget; as a result, they did not implement any activities in the 2014-2019 anti-trafficking national action plan. In addition, other government offices continued to use the TIP Secretariat's dedicated vehicle for their offices' non-anti-trafficking purposes, leaving the Secretariat without transportation to investigate cases. In collaboration with an NGO, the MOL continued to staff an anti-trafficking hotline during business hours; it did not report whether it received any trafficking reports during the reporting period. LNP, with some international support, visited approximately 25 beaches and 80 entertainment centers in Monrovia known to have high instances of child sex trafficking, spoke with community groups, and distributed more than 200 flyers to sensitize citizens on child protection issues. MOGCSP continued a government-funded program to provide shelter, psychological counseling,

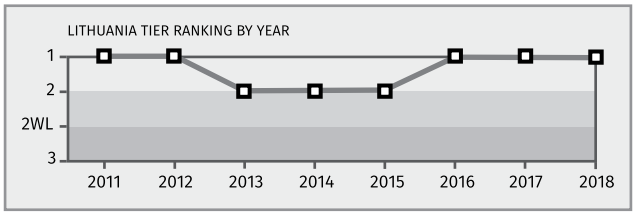
and family reunification to vulnerable street children. The government did not make discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not have the resources to regularly monitor artisanal gold mining operations—where most child labor in the gold mining sector took place—for child or forced child labor, and it did not have any inspectors dedicated to child labor or forced child labor. The government provided anti-trafficking training for its diplomatic personnel; however, there were allegations that two Liberian diplomats in the United Kingdom engaged in human trafficking.

TRAFFICKING PROFILE

As reported over the past five years, Liberia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Trafficking within the country from rural to urban areas is more prevalent than transnational trafficking, and the majority of victims are children. Most trafficking victims originate from and are exploited within the country's borders, where they are subjected to domestic servitude, forced begging, sex trafficking, or forced labor in street vending, gold and alluvial diamond mines, and on rubber plantations. Traffickers typically operate independently and are commonly family members who promise poorer relatives a better life for their children or promise young women a better life for themselves, take the children or women to urban areas, and exploit them in forced street vending, domestic servitude, or sex trafficking. Traffickers are also often well respected community benefactors who exploit the "foster care" system common across West Africa. While Liberian law requires parents to register children within 14 days of birth, fewer than five percent of births are registered. Although the government has made improvements in birth registration accessibility, continued lack of birth registration and identity documents increase individuals' vulnerability to trafficking. Orphaned children are vulnerable to exploitation, including in street selling and child sex trafficking. In some poor families, parents encourage their daughters to be exploited in prostitution to supplement family income. Liberian nationals and—to a lesser extent—foreigners exploit children in sex trafficking in Monrovia. Officials have documented allegations of women in sex trafficking in Chinese-run hotels. Authorities identified two groups of suspected traffickers from Sierra Leone operating in Liberia during the reporting period. A small number of Liberian men, women, and children are subjected to human trafficking in other West African countries, including Cote d'Ivoire, Guinea, Mauritania, Senegal, Sierra Leone, and Nigeria. Women from Tunisia and Morocco have been subjected to sex trafficking in Liberia, and Liberian women have been subjected to forced labor in Lebanon and Finland.

LITHUANIA: TIER 1

The Government of Lithuania fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Lithuania remained on Tier 1. The government demonstrated serious and sustained efforts by enacting new legislation to reform the institutional child care system; increasing funding to NGOs for victim assistance programs, resulting in the provision of support to more victims and at-risk individuals; identifying more victims; and investigating and prosecuting a significant amount of traffickers. The government established guidelines for municipalities on anti-trafficking models, and two municipalities approved the creation of anti-trafficking working groups, action plans involving key stakeholders from civil society, and local referral mechanisms. Although the government meets the minimum standards, a lack of victim protection during the investigation and trial process and a lack of knowledge within relevant agencies in recognizing indicators of child trafficking remained. The government provided training to law enforcement officials in collaboration with NGOs, but some police officers did not identify victims of trafficking. Authorities inconsistently implemented victim identification and referral mechanisms throughout the country, specifically in rural areas.



RECOMMENDATIONS FOR LITHUANIA

Increase efforts to identify trafficking victims, particularly children, in municipalities, through enhanced training for police and child protective services officials; implement reforms to the child care system to improve the protection of vulnerable children; provide specialized services to child victims in foster homes and mixed-use shelters; implement formal victim identification and referral mechanisms for victim assistance throughout the country, especially in rural areas; protect victims from threats and re-victimization during the investigation and trial of trafficking cases; expand training investigators and prosecutors on building trafficking cases, including collecting adequate evidence beyond victim testimony; and broaden public awareness efforts to educate low-income and socially at-risk communities on the risks of trafficking.

PROSECUTION

The government increased law enforcement efforts. Articles 147 and 157 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from two to 12 years imprisonment, which were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities initiated 35 investigations (nine investigations for sexual exploitation, five for labor exploitation, 14 for exploitation for forced criminal activities, four for false marriage, and three for trafficking for other purposes), compared with 29 in 2016. The government initiated prosecutions of 54 suspected traffickers (64 in 2016) and convicted 20 traffickers under articles 147 and 157 (23 in 2016). Nearly all traffickers received prison sentences, with terms ranging from two to 10 years. However, one trafficker received no jail sentence but paid a fine, and two traffickers received jail sentences that the court suspended. The government collaborated with foreign counterparts in 21 international trafficking investigations, compared with 18 in 2016. The general prosecutor's office received and fulfilled one request for extradition (zero in 2016), and issued five European arrest orders in human trafficking cases (six in 2016). In 2015, prosecutors began investigating allegations that the director of an orphanage sexually exploited boys and operated a sex trafficking ring inside the institution, offering young boys to pedophiles. In April 2017, the court convicted the former director for sexual exploitation, imposing a prison sentence of three years and 10 months with a suspended sentence for three

years, a fine, and a ban from working at any public or private educational or care institution for five years.

Although the basic training for police cadets included only one hour on trafficking, the national police organized three anti-trafficking training sessions on crime investigations for 55 police officers. The border guard organized two anti-trafficking training events for 43 border officials. In March 2017, the national court administration held two trainings for 82 judges and judicial assistants on communication during court procedures with victims, including children, and in October organized training on the legal definition of human trafficking, the challenges in proving trafficking crimes, and courtroom practices for 78 judges and judicial assistants. During the reporting period, eight specialized prosecutors participated in a regional conference dedicated to combating trafficking, and 37 prosecutors attended six anti-trafficking trainings throughout the country. Prosecutors reported collecting adequate evidence continued to be a problem in proving trafficking cases.

PROTECTION

The government increased efforts to protect and assist victims. Authorities identified 60 victims in 2017 (41 in 2016); eight were minors compared with four in 2016. Government-funded NGOs supported 219 trafficking victims and at-risk individuals (179 victims in 2016). The central government allocated NGOs €115,000 ($138,060) for victim assistance programs, compared with €81,000 ($97,240) in 2016; local governments allotted €16,000 ($19,210) to support trafficking victims. In 2017, 13 victims received compensation of about €34,000 ($40,820) in total. The government assisted nine Lithuanian victims exploited overseas in obtaining legal documents, providing consultations, and coordinating with local NGOs for additional aid and information. Authorities implemented formal victim identification and referral mechanisms for victim assistance; however, observers reported authorities in some parts of the country underutilized both. Observers reported local officials' tendency to blame trafficking victims persisted, especially in rural areas.

The government established reforms to the institutional child care system by entering into force new legislation that allowed temporary guardianship of a child in foster care for no longer than 12 months, and guardianship of a child under three years of age in a child care institution only in exceptional cases and for no longer than three months. The government allocated €2.7 million ($3.2 million) to the reforms. While the goal was to move all children from institutions to families by 2020, authorities continued to place child victims in mixed-use shelters, as there were no shelters specifically for child trafficking victims. According to NGOs, child protective services reportedly lacked knowledge in recognizing indicators of child trafficking, especially in rural areas. Sexually abused children could seek assistance in the government-operated national support center in Vilnius.

Five publicly funded men's crisis centers had the capacity to provide support to trafficking victims, including finding shelter; the government reported that 103 male victims received assistance during the reporting period. Victims were reluctant to cooperate with law enforcement because traffickers threatened victims as they were entering or exiting the courtroom. Experts acknowledged the lack of victim protection during the investigation and the trial process. In an effort to prevent re-traumatization of trafficking victims, courts increasingly used video technology to present victims' testimony, as the criminal code required trafficking victims' testimony. Legislation allowed foreign trafficking victims a 30-day reflection period to decide whether to cooperate with law enforcement; foreign victims cooperating with law enforcement could receive temporary residency. Authorities identified 20 foreign victims in 2017 and one in 2016. While the government provided legal representation to victims, observers reported the attorneys had little experience with trafficking issues. NGOs often hired private attorneys for victims. In 2017, 13 victims received compensation.

PREVENTION

The government increased prevention efforts. The government continued to implement its national action plan for 2017-2019 and maintained an interagency commission for coordinating anti-trafficking efforts. At the municipal level, the government initiated the establishment of anti-trafficking working groups, action plans involving key stakeholders from civil society, and local referral mechanisms. The interior ministry donated €10,000 ($12,000) to an awareness campaign created by the Lithuanian community in the United Kingdom aimed at educating Lithuanians on the risk of trafficking. The campaign included the development of preventive videos and flyers on the threat of human trafficking with information on how and where to receive assistance. These products were distributed among Lithuanian communities in the UK, Lithuanian-language newspapers, news portal websites, and social networks. From October to December, the government, law enforcement, and NGO representatives participated in a prevention campaign organized by the interior ministry in cooperation with regional municipalities. Additionally, the government distributed 18,000 information cards in three languages (Lithuanian, Russian, and English), which included indicators of trafficking and contact information. Using government funding, NGOs organized anti-trafficking seminars, lectures, discussions, meetings, and three conferences, which more than 1,000 people attended. The police advertised and managed an email account that the public could use to report potential human trafficking situations and ask for advice. The government fined individuals who contributed to the demand for commercial sexual acts. The labor inspectorate, in cooperation with an NGO, produced leaflets alerting third country nationals to the risk of labor exploitation. In May 2017, the inspectorate conducted checks of business recruitment practices, focusing on whether businesses employed third country nationals and abided by anti-trafficking legislation. Additionally, the inspectorate and police inspected construction sites to ensure employers were complying with the law regarding third country nationals, concentrating on Ukrainian workers. In October 2017, the Ministry of Interior co-hosted a training for 40 social workers on the prevention of missing and exploited children, in conjunction with a foreign government and NGO. In 2017, 35 inspectors participated in five training sessions organized by the inspectorate.

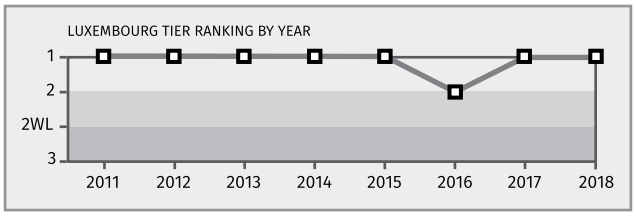
TRAFFICKING PROFILE

As reported over the past five years, Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source and destination country for men subjected to trafficking for labor and criminal activities. Law enforcement reports the majority of trafficking cases involve Lithuanian trafficking networks that prey on Lithuanian victims. Traffickers target unemployed adults and children from low-income and socially at-risk families mainly through the internet, social media, and newspaper. Traffickers exploit Lithuanian adults and children in criminal activities, such

as shoplifting, and Lithuanian women in commercial sex in Western Europe and Scandinavia. Women and girls subjected to sex trafficking within the country remained a problem. Reports indicate the percentage of male victims vulnerable to forced labor and criminal activity increased and composed the largest group of identified trafficking victims. Foreign workers from Ukraine, Nepal, and China, seeking a better life and well-paid jobs in Lithuania, are at risk of labor trafficking in agriculture and construction. The approximately 4,000 boys and girls institutionalized in approximately 90 orphanages are especially vulnerable to trafficking.

LUXEMBOURG: TIER 1

The Government of Luxembourg fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Luxembourg remained on Tier 1. The government demonstrated serious and sustained efforts by doubling the number of staff in the police unit responsible for trafficking, identifying more victims, increasing funding for victim assistance, and increasing the amount of training available for civil servants. Although the government meets the minimum standards, courts fully suspended half of all prison sentences for convicted traffickers, creating potential safety problems for trafficking victims, weakening deterrence, and undercutting efforts of police and prosecutors.



RECOMMENDATIONS FOR LUXEMBOURG

Vigorously prosecute, convict, and sentence traffickers with sufficiently stringent prison sentences; increase law enforcement efforts against labor trafficking; revise the trafficking law, including article 382-1, to clarify that force, fraud, or coercion are core elements of the crime of trafficking of adults; increase the number of labor inspectors; require victim identification training for labor inspectors; increase funding to NGOs to provide expedient victim assistance; make resources available to law enforcement and government officials to proactively identify and assist victims and investigate labor and sex trafficking cases; coordinate and centralize the collection of trafficking data across government; continue to work collaboratively with, and make resources available to, the national rapporteur to critically assess efforts and make recommendations to improve the government's response to human trafficking; and establish a victim assistance hotline.

PROSECUTION

The government maintained law enforcement efforts. Luxembourg criminalized all forms of sex and labor trafficking through articles 382-1 and 382-2 of the criminal code, although article 382-1 is broader than the international definition and could be used to prosecute non-trafficking cases, as force, fraud, and coercion are aggravating factors that increase penalties rather than a means to commit the offense. The prescribed penalties range from three to 10 years imprisonment for adult trafficking and 10 to 20 years imprisonment for child trafficking. These penalties are sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In February 2018, the government passed bill 7008, which criminalized the solicitation of prostitution from a person known to the solicitor to be a trafficking victim, and criminalized the theft, modification, damage, or destruction of another person's travel documents.

In 2017, the government initiated seven investigations (five of forced labor and two of sex trafficking), compared with 10 investigations in 2016 (two of forced labor and eight of sex trafficking). The government initiated one new prosecution (five in 2016) and convicted eight for sex trafficking in 2017 (11 in 2016); there were no forced labor convictions. Courts issued weak sentences for trafficking convictions, undercutting efforts to hold traffickers accountable. Half of the convicted traffickers (four of eight) received fully suspended prison sentences and were ordered to pay fines ranging from €1,500 to €12,000 ($1,800 to $14,410). Four traffickers received partially suspended sentences and were ordered to serve between 12 and 18 months in prison and pay fines ranging from €2,000 to €20,000 ($2,400 to $24,010). The average effective prison term was 15 months (19.75 months in 2016). The police organized crime unit, responsible for trafficking, doubled its staff of investigators to 11 and created a new victim protection unit staffed by two personnel to establish clear separation between victim assistance and investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased efforts to protect victims. Authorities identified 11 trafficking victims (eight forced labor victims and three sex trafficking victims), compared with three in 2016 (all sex trafficking victims). All victims were foreign citizens; six were women, five were men, and one was a boy. Seven of the 11 victims received assistance from government-funded shelters. Officials reported labor inspectors were chronically understaffed and not required to complete victim identification training, which negatively impacted the proactive identification of forced labor victims. The government provided €164,200 ($197,120) to the two NGOs responsible for coordinating trafficking victim care, an increase from €149,600 ($179,590) in 2016. The two NGOs were funded to operate a maximum combined total of 40 hours per week. Beginning in 2018, the government increased funded operational hours to a maximum combined total of 60 hours per week. When victims were identified outside operational hours, police could directly refer adult female and child victims to general shelters for victims of crime; adult male victims could be housed temporarily in hotels until longer-term housing could be identified. Adult male victims received the same access to long-term accommodation and other victim services as adult female and child victims. The NGOs' limited hours of operation, coupled with the physical separation of their staff created delays in delivering victim assistance. The government also provided €6.6 million ($7.9 million) to assistance centers that provided shelter and assistance to adult female and child victims of crime, including trafficking victims, compared with €6.4 million ($7.7 million) in 2016. The government had legal alternatives to removal to countries in which victims would face retribution or hardship. Trafficking victims were entitled to a 90-day reflection period to decide whether they wanted to testify, during which EU citizens could work. Upon expiration of the reflection period,

the government could issue a foreign victim either temporary or permanent residency status, which conferred the right to work, depending upon the victim's willingness to cooperate with law enforcement and whether the victim was an EU national. Two victims were issued a temporary residency permit during the reporting period. Victim assistance was not contingent on a successful trafficking prosecution. Victims could participate in a witness protection program to ensure their security before, during, and after a trial. Victims could claim restitution from the government and file civil suits against traffickers, but none were recorded. There were no reports authorities penalized victims for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

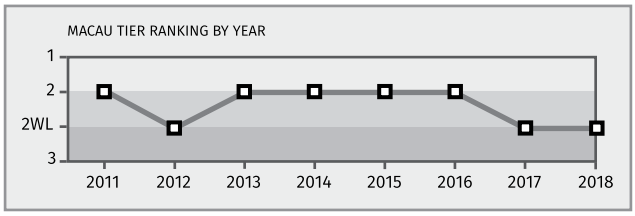
The government increased prevention efforts. The government's inter-ministerial committee, chaired by the Ministry of Justice, met four times in 2017 to coordinate anti-trafficking efforts and the national action plan. For the first time, the government granted the inter-ministerial committee its own dedicated budget of €15,000 ($18,010) to fund awareness activities. In 2017, the government increased training for civil servants by offering its basic anti-trafficking course eight times and an advanced iteration two times. The government re-launched its multi-faceted awareness campaign across media and news outlets and collaborated with an NGO to promote forced labor awareness. The national rapporteur on trafficking in persons finalized its first biannual report and presented it to a parliamentary justice commission in March 2017. The rapporteur reported a lack of accurate and reliable trafficking data and emphasized a critical need to coordinate and centralize data collection across the government. The government provided funding for multiple development programs in other countries that contained anti-trafficking components. From 2015 to 2017, the government provided €240,800 ($289,080) to an NGO for local awareness campaigns focused on the prevention of child sex tourism. The government did not make efforts to reduce the demand for forced labor. The government did not operate a victim assistance hotline.

TRAFFICKING PROFILE

As reported over the past five years, Luxembourg is a destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking from Europe, Africa, Asia, and South America are exploited in prostitution in cabarets, private apartments, and on the street. Forced labor, sometimes involving Chinese or eastern or southern European men, women, and children, occurs in various sectors, including restaurants and construction. Traffickers reportedly transport an unknown number of Romani children from neighboring countries for forced begging in Luxembourg. Groups vulnerable to trafficking include migrant workers in domestic work, catering, construction, and begging, as well as unaccompanied foreign children and people in Luxembourg's legal and illegal commercial sex industry.

MACAU: TIER 2 WATCH LIST

The Government of the Macau Special Administrative Region (MSAR) of the People's Republic of China does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying victims of sex trafficking, partnering with an NGO to escort a child victim home, training numerous government officials, and allocating 5.5 million patacas ($684,500) to victim protection services and prevention programs. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Authorities investigated fewer cases than in the previous reporting period, did not obtain any sex trafficking convictions for the third consecutive year, and never obtained a labor trafficking conviction. Therefore Macau remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MACAU

Significantly increase efforts to investigate, prosecute, and convict sex and labor traffickers; provide training on the use of trafficking laws to prosecutors; improve and consistently implement proactive victim identification methods, especially among vulnerable populations such as migrant workers and children exploited in commercial sex; significantly increase efforts to screen for and identify labor trafficking and male victims, especially among the migrant worker population; increase protections for foreign domestic workers, including by instituting a minimum wage for foreign domestic workers; and conduct sex trafficking awareness campaigns so visitors in Macau understand that purchasing sex with children is a crime.

PROSECUTION

Authorities maintained anti-trafficking law enforcement efforts. The anti-trafficking law, law number 6/2008 within the penal code, criminalized sex and labor trafficking and prescribed penalties of three to 15 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Authorities conducted investigations of three suspected human trafficking cases in 2017 (eight in 2016); all three investigations involved suspected sex trafficking. The government initiated one prosecution in 2017 (two in 2016) in a case involving child sex trafficking; however, authorities used the "procuring of prostitution" law and did not prosecute any cases under the trafficking statute. The government did not obtain any sex trafficking convictions for the third consecutive year and has never obtained a labor trafficking conviction. The government continued to include a trafficking component in mandated training for new police, fire, customs, and immigration recruits and provided additional training when officials were promoted. Authorities organized anti-trafficking law enforcement and awareness trainings for an increased number of police, customs, and other law enforcement personnel in 2017. The government reported cooperating with mainland Chinese and Hong Kong authorities on anti-trafficking efforts through intelligence exchanges and joint investigations. Authorities did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

PROTECTION

Authorities maintained efforts to identify and protect trafficking

victims. Police identified three victims of sex trafficking, including two children and one adult, compared to four in 2016. Authorities have never identified labor trafficking victims in Macau, despite reports of Indonesian officials identifying Indonesian trafficking victims in Macau during the year. Authorities had formal victim identification procedures, an operational referral processes, and standardized screening questionnaires that could guide law enforcement, immigration, and social services personnel to screen individuals vulnerable to trafficking. Officials distributed questionnaires to workers, including those in construction, to screen for trafficking; it was unclear how officials administered these questionnaires. Police and social welfare bureau (SWB) officials referred both child victims identified in 2017 to a government-funded NGO that offered shelter, counseling, and economic and medical assistance. SWB partnered with a mainland Chinese organization to escort one child victim to her home in mainland China and arranged for vocational training. The government also provided training focused on identification and protection of sex and labor trafficking victims to an increased number of social welfare, health, law enforcement, and labor officials. SWB designated shelters for female and male trafficking victims, but did not report providing shelter to any adult victims in 2017; the one adult victim identified in 2017 chose to be repatriated. The government allocated approximately 1.9 million patacas ($234,500) on victim protection services, including allocations to NGOs for service provision at shelters, compared to 1.6 million patacas ($200,000) allocated in 2016. There were no reports of victims penalized for unlawful acts committed as a result of being subjected to trafficking. Authorities generally accepted a written statement in lieu of oral testimony to encourage victim participation in the prosecution of trafficking crimes. Macau law did not provide trafficking victims with permanent residency as a legal alternative to removal to countries in which they would face retribution or hardship; however, authorities reported a policy which allowed foreign victims to reside and work in Macau on the basis of "well-founded humanitarian reasons," but it was unclear if any victims have benefited from this policy.

PREVENTION

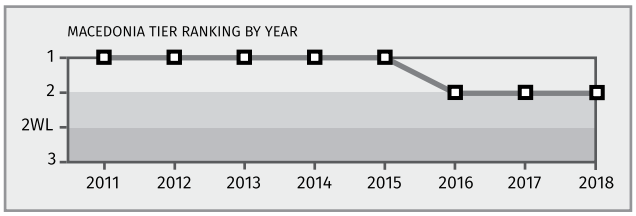
Authorities maintained efforts to prevent trafficking. The interagency Human Trafficking Deterrent Measures Concern Committee, led by the security bureau, coordinated Macau's anti-trafficking efforts; the government allocated 3.6 million *patacas* ($450,000) to the committee for anti-trafficking activities in 2017, compared to 3.2 million *patacas* allocated in 2016 ($400,000). The labor affairs bureau (LAB) and law enforcement agencies disseminated television commercials, as well as pamphlets and posters in eight different languages to raise awareness of trafficking. The government ran trafficking awareness videos at all border checkpoints. Authorities held labor rights seminars that reached more than 10,000 students and migrant workers, including those in the domestic helper and construction industries. In cooperation with an NGO, SWB sponsored a competition encouraging students to identify anti-trafficking solutions. Some governmental policies may have increased migrant workers' vulnerability to trafficking. For example, immigration regulations prevented migrant workers who were fired for just causes (such as criminal behavior, abuse, and non-payment of wages) or resigned without just causes before the expiration of a contract from obtaining a new work permit for six months. There was no minimum wage established for foreign domestic workers. LAB adjudicated the labor dispute cases of 1,430 migrant workers, and inspected 22 construction sites and 196 employment agencies for labor violations. LAB investigated 13 complaints of overcharging by employment agencies, of which four were substantiated and two remained under investigation by the end of the reporting period. The government made some efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, Macau is primarily a destination and, to a much lesser extent, a transit territory for women and children subjected to sex trafficking and forced labor. Sex trafficking victims originate primarily from mainland China and Southeast Asia; many are from northern Chinese provinces and travel to the border province of Guangdong in search of more lucrative employment. Many trafficking victims respond to false advertisements for jobs, including in casinos in Macau, but upon arrival are forced into prostitution. Traffickers sometimes exploit victims in massage parlors, illegal brothels, apartments, and houses where they are closely monitored, threatened with violence, forced to work long hours, and have their identity documents confiscated. Migrant construction and domestic workers may be vulnerable to labor exploitation. Some brokers who bring foreign men and women, such as foreign domestic workers based in Hong Kong, to Macau to renew work visas for other countries restrict these workers' movements and withhold their passports in conditions indicative of debt bondage and forced labor.

MACEDONIA: TIER 2

The Government of Macedonia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Macedonia remained on Tier 2. The government demonstrated increasing efforts by training first responders on victim identification and working with local authorities to establish local anti-trafficking action plans. The government established an anti-trafficking Task Force, re-established mobile identification teams in four regions, and dispatched social workers to conduct proactive victim identification at border crossings and migrant and refugee camps. However, the government did not meet the minimum standards in several key areas. The government identified six victims and convicted one trafficker, judges continued to issue weak sentences that were below the government's own minimum penalty, and law enforcement lacked staff to conduct adequate proactive investigations. The government decreased overall funding for victim protection and did not award grants to anti-trafficking NGOs, despite NGOs identifying and serving the vast majority of potential victims identified during the year. Corruption and official complicity in trafficking crimes remained significant concerns; while the government charged a civil servant with complicity in 2017, it has not prosecuted a government official for complicity in several investigations it has initiated in recent years.



RECOMMENDATIONS FOR MACEDONIA

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, and impose strong sentences; increase efforts to proactively identify trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations; allocate sufficient resources for victim protection efforts; provide accommodation to foreign potential trafficking victims in safe and appropriately rehabilitative settings and allow victims to leave shelters at will; allocate sufficient resources and personnel to the police anti-trafficking unit to proactively investigate trafficking; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; improve compensation mechanisms for victims and inform them of their right to seek restitution; and make public government anti-trafficking efforts.

PROSECUTION

The government maintained weak law enforcement efforts. Articles 418(a) and (d) of the criminal code criminalized sex and labor trafficking and prescribed a minimum penalty of four years imprisonment, which was sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated four cases in 2017 (two in 2016). The government prosecuted four defendants (two in 2016), and convicted one trafficker in both 2016 and 2017. Judges continued to issue sentences below the minimum penalty of four years imprisonment; the only convicted trafficker in 2017 received two years probation, but the prosecutors appealed and the sentence remained pending at the end of the reporting period.

The Combatting Trafficking in Human Beings and Migrant Smuggling Unit (CTHBMSU) within the Ministry of Interior (MOI) led specialized investigations, but for much of 2017 lacked the staff to conduct adequate proactive investigations. The MOI trained 718 police officers on trafficking issues and the Ministry of Labor and Social Policy (MLSP) trained 25 inspectors on forced labor issues. The government established an anti-trafficking task force and law enforcement conducted joint investigations with Albania, Greece, Serbia, and Montenegro. Corruption and official complicity in trafficking crimes remained significant concerns. In previous years, observers reported some police and labor inspectors allegedly accepted bribes from traffickers and authorities suspected bar and brothel owners received warnings ahead of time before police raids. The government charged a civil servant with complicity in trafficking in 2017. In 2016, the government charged a municipal inspector for trafficking and three police officers remained under investigation since 2014 for suspected involvement in organizations engaged in trafficking; the government did not report progress on those cases.

PROTECTION

The government maintained victim protection efforts. The government identified six victims in the reporting period (six in 2016). Of these, four victims were subjected to sex trafficking, one to both sex trafficking and forced labor, and one to forced labor (six were subjected to sex trafficking in 2016); five were children (three in 2016); and five were female and the other a male (six females in 2016). The government and NGOs also identified 99 potential trafficking victims in 2017 (125 in 2016); 57 were adults and 42 were children. MLSP reestablished mobile identification teams in four regions for vulnerable populations, including trafficking victims, and continued to dispatch social workers to conduct proactive victim identification at border crossings and migrant and refugee camps; MLSP identified one official victim (one potential victim in 2016). The government trained first responders on victim identification, including police officers, labor inspectors, immigration officials teachers, and social workers. However, experts reported most government agencies lacked proactive identification efforts. Officials screened for trafficking indicators at border posts, but border agents did not properly identify victims. MLSP social workers and police continued to identify potential forced labor victims among predominately Romani children engaged in street begging and street vending. The government placed them in daycare centers and warned, fined, or jailed their parents; in cases where courts deemed parents unfit to care for their children, the state placed the children in orphanages.

First responders referred potential victims to CTHBMSU and MLSP, which were authorized to officially identify victims. The government referred 15 potential trafficking victims and civil society referred 84 potential victims (56 were adults and 41 were children), compared to 36 potential victims referred by the government and 89 by civil society in 2016. The government and NGOs provided potential victims and officially recognized victims with protection and assistance, including food, clothing, medical assistance, psycho-social support, rehabilitation, and reintegration services. MLSP-run social service centers also employed specialized staff and provided psycho-social support and reintegration assistance, including education and job placement. However, potential trafficking victims did not have access to the government-run shelter and its support services until officially recognized by the government and GRETA reported officially recognized victims did not receive any formal notification, which hindered their entitlement to free medical and legal assistance. Specialized assistance was not available for male victims and observers reported only one forced labor victim ever received reintegration support. The government operated a shelter for trafficking victims and a transit center for irregular migrants that offered separate facilities for foreign potential victims of trafficking; both facilities could house male, female, and child victims. The government allocated 2.7 million denars ($52,870) to the government-run shelter and the transit center for foreigners, compared to 3.8 million denars ($72,450) in 2016. The government also allocated 382,950 denars ($7,500) to support services and security for victims, compared to approximately 1 million denars ($19,580) in 2016. The government did not award grants to NGOs in 2016 or 2017; NGOs reported their reliance on these grants forced them to reduce services to victims. Observers reported the government relied heavily on funding from the international community and on NGOs to provide assistance. The government-run shelter opened only when authorities identified an official trafficking victim due to budget restraints. The government-run shelter allowed victims freedom of movement, but the migrant facility did not permit foreign potential victims to leave without a temporary residence permit. GRETA reported the migrant facility was in "poor material condition" and "effectively a detention facility and not the appropriate environment for trafficking victims," and reported the facility held unaccompanied minors

and potential child trafficking victims in recent years. The government-run shelter accommodated five child victims during the reporting period and the migrant facility housed 131 foreigners in 2017. The law permitted foreign victims a two-month reflection period to decide whether to testify against their traffickers, followed by a six-month temporary residence permit, regardless of whether they testified; no foreign victims requested residence permits in 2016 or 2017.

The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; however, the government may have deported, detained, or restricted freedom of movement of some trafficking victims due to inadequate identification efforts. The government did not report the number of potential victims that assisted in initial investigations (12 in 2016) and five of the six officially identified victims gave statements against their alleged traffickers (two in 2016). The Academy for Judges and Public Prosecutors trained 76 officials in non-penalization of victims and victim identification. The government reported no victims required witness protection services in 2016 or 2017. While victims could claim restitution through civil proceedings, no victims had ever successfully completed a claim due to the complexity of the process. The government and civil society continued efforts to develop a victim compensation fund that allowed authorities to allocate compensation to victims from seized criminal assets.

PREVENTION

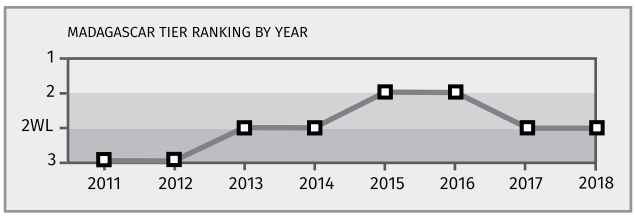
The government maintained prevention efforts. The National Commission (NC), which comprised government agencies, international organizations, and NGOs, met regularly and published an annual report of its activities. The government appointed a new national coordinator in July 2017, who led the NC and coordinated anti-trafficking efforts. Observers reported increased communication and cooperation between civil society and government due to the national coordinator. However, the national rapporteur did not produce a public assessment for the third consecutive year. The national coordinator, in cooperation with international organizations, launched a month-long awareness campaign. The NC distributed approximately 1,500 awareness raising leaflets to the general public and the MOI organized 11 round tables and 249 lectures in schools to raise awareness. The government assisted three local anti-trafficking commissions (Prilep, Gevgelija, and Veles) in developing the first local action plans for trafficking. The government did not operate a hotline, but MOI managed an application to report various offenses, including trafficking; the application received one trafficking-related report, but it did not result in an investigation. The government, in partnership with NGOs, conducted seminars for Romani students, teachers, and NGOs on the risks of forced marriages of minors. Observers reported cases of Romani children not registered at birth whose parents lacked the registration and identification documents to access health care, social protection, and education. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government warned citizens travelling abroad regarding fraudulent offers of employment within the Schengen zone.

TRAFFICKING PROFILE

As reported over the past five years, Macedonia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls in Macedonia are subjected to sex trafficking and forced labor within the country in restaurants, bars, and nightclubs. Foreign victims subjected to sex trafficking in Macedonia typically originate from Eastern Europe, particularly Albania, Bosnia and Herzegovina, Kosovo, Romania, Serbia, and Ukraine. Citizens of Macedonia and foreign victims transiting Macedonia are subjected to sex trafficking and forced labor in construction and agricultural sectors in Southern, Central, and Western Europe. Children, primarily Roma, are subjected to forced begging and sex trafficking through forced marriages. Migrants and refugees traveling or being smuggled through Macedonia are vulnerable to trafficking, particularly women and unaccompanied minors. Traffickers frequently bribe police and labor inspectors. Police have been investigated and convicted for complicity in human trafficking.

MADAGASCAR: TIER 2 WATCH LIST

The Government of Madagascar does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by operationalizing a new Morals and Child Protection Unit (SPEM), coordinating with law enforcement of a foreign government to investigate a trafficking network, and referring more victims to care. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Despite continued reports of alleged complicity during the year, it did not hold any complicit officials accountable, and did not investigate reports of officials facilitating child sex trafficking. The government continued to lack formal procedures to proactively identify trafficking victims, and did not systematically provide services to victims. For the second consecutive year, the government did not provide funding to the National Office to Combat Trafficking, inhibiting its ability to lead national efforts, raise awareness, and operationalize the national action plan. Therefore Madagascar remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MADAGASCAR

Increase efforts to convict suspected trafficking offenders, including complicit officials; develop formal procedures for, and provide training to officials on, proactive measures to identify victims, investigate cases, and refer victims to appropriate services; adequately fund the National Office to Combat Trafficking and relevant agencies supporting anti-trafficking efforts; implement the five-year national action plan to combat trafficking; replace the general suspension of recruitment agencies sending migrant workers abroad with strong regulations that are consistently enforced; negotiate an agreement between the government, training centers, and recruiters for prospective migrant workers; collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse; increase efforts to raise public awareness of labor trafficking, including of adults subjected to forced labor; and, improve national level data

collection on law enforcement efforts, distinguishing between trafficking and other crimes, including the number of victims identified, cases investigated and prosecuted, and the number of convictions.

PROSECUTION

The government slightly decreased law enforcement efforts and reports of alleged official complicity continued during the year. Law No.2014-040 criminalized sex and labor trafficking, including sexual exploitation, labor trafficking, forced labor, forced begging, and debt bondage. It prescribed penalties ranging from two to five years imprisonment and financial penalties; child trafficking convictions were subject to penalties of five to 10 years imprisonment and financial penalties. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

National statistics on prosecutions and convictions remained difficult to obtain and verify, as there was no national database for trafficking crimes. The government reported initiating 32 trafficking investigations, an increase from the previous reporting period for which the government did not report the number of investigations. The government reported initiating the prosecution of 15 alleged traffickers, charging the majority of these suspects under the anti-trafficking law; this is compared with the prosecution of 32 alleged traffickers in 2016. The government also prosecuted 36 alleged traffickers for attempted human trafficking under the 2014 anti-trafficking law for trying to send migrant workers abroad, but it is unclear whether these cases involved attempted trafficking in persons. The government did not report the number of convictions, a decrease from three reported convictions in 2016. The Central Unit of Specialized Investigation and Fight Against Documentary Fraud (SCESLFD) within the National Police reported investigating six cases in which Malagasy women were fraudulently recruited for work on Chinese tea plantations, but instead were forced to marry Chinese men and were subjected to involuntary servitude. In a separate case, the SCESLFD police unit cooperated with law enforcement officials from China to investigate a trafficking network suspected of sending women and children to China for sex trafficking and forced labor. Once alerted, the Chinese police located and arrested the suspected trafficker—a Malagasy woman—and extradited her to Madagascar, where the investigation remained ongoing. The SCESLFD also investigated 16 recruitment companies, some of whom may have been fraudulently recruiting workers to send to Kuwait. In partnership with an international organization, the government operationalized SPEM to investigate crimes involving children in rural areas, including trafficking; it investigated five cases of trafficking during the reporting period. The Police Service's Morals and Protection of Minors (PMPM) unit continued to lead anti-trafficking law enforcement efforts in the capital.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses despite allegations of corruption and complicity, including continued reports of an alleged network of government officials involved in falsification of identity documents used to facilitate child sex trafficking. There remained a lack of coordination between agencies combating trafficking in persons and a reluctance of victims to file charges for fear of reprisals. The government facilitated and led workshops, funded by an international organization, to educate law enforcement and civil society in Antananarivo, Mahajanga, Sambava, Fianarantsoa, Antsiranana, and Toliara on the enforcement of the anti-trafficking laws and victim identification and referral.

PROTECTION

The government maintained uneven efforts to protect victims. The government reportedly identified 86 victims, a decrease compared to 117 identified in the previous reporting period. The government reportedly referred at least 57 to care during the reporting period, an increase compared to 41 last reporting period. An NGO identified and assisted 147 victims. However, due to a lack of coordinated data collection at the national level, this data may not be comprehensive. The government reported housing 35 child trafficking victims in a children's shelter and repatriating 12 transnational trafficking victims; this compared to 35 sheltered and 70 repatriated victims in the previous year. The police reported identifying 70 potential victims, to whom they provided temporary accommodation in police stations, given the lack of alternative shelter options across the country. The government reported identifying 16 Malagasy women in China and facilitated, but did not fund, the repatriation of 12, with some receiving travel documents and basic assistance from the Malagasy embassy in China, and all receiving care upon return. An international organization reported there might be as many as 200 Malagasy women still in a rural region of China, who were also victims of the same trafficking scheme where deceptive or coercive brokers defrauded and sold women into marriages to Chinese men for the purpose of involuntary servitude. An NGO in China reported identifying at least two trafficking victims, helped them pursue legal action, and then coordinated their repatriation. The Ministry of Population assisted 10 trafficking victims that returned from Gulf countries where traffickers exploited them as domestic servants; the government provided all the victims with psychological support and medical care, and five victims additionally received financial aid for their socioeconomic reinsertion and vocational training.

The government remained without formal national procedures to proactively identify trafficking victims or refer victims for care; however, an international organization had previously supported the creation of a trafficking victim identification and referral manual, which the government updated during the reporting period and disseminated to 80 stakeholders in Antananarivo, Mahajanga, Sambava, Fianarantsoa, Antsiranana, and Toliara. While the government offered some protection services, it is unclear how many victims received these benefits. The Ministry of Population and Social Affairs, in collaboration with an international organization, continued to coordinate approximately 700 child protection networks across the country, a decrease from 780 in the prior reporting period. These networks were mandated to protect children from various forms of abuse and exploitation, as well as to ensure access to medical and psychological services for victims. However, during the reporting period, the networks' ability to provide protective services were inadequate, as they generally referred victims to NGOs to receive care. Four government hospitals had one-stop victim support centers that offered assistance to child victims of various abuses, including sex trafficking; the one-stop support centers were located in Antananarivo, Toamasina, Mahajanga, and Nosy Be and offered victims medical assistance, psychological support, and access to the police and social workers, but the government did not report how many victims received assistance at these facilities. The Ministry of Population in Nosy Be continued to operate a foster care program for exploited children in partnership with an international organization; the program included 10 participating families who received funding from the

government, but the government did not report how many children it placed in foster families during the reporting period. The government continued to operate and fund the Manjary Soa Center in Antananarivo, which received 35 children who had been removed from situations of forced labor and sex trafficking. This center provided vocational training or reintegration into the public school system. The city of Antananarivo continued to manage an emergency center for child victims of domestic servitude, generally referred by PMPM; the city, in partnership with an international organization, provided food, lodging, psychological and medical aid, and educational services.

The foreign ministry had the responsibility to systematically inform the Ministry of Population when victims were in the process of repatriation; in turn, the Ministry of Population would contact the victims upon their return and offer assistance, but reports indicated most victims were reluctant to work with the government to accept assistance. The 2014 anti-trafficking law required authorities to consider legal alternatives for foreign trafficking victims who believe they may face hardship or retribution if returned to their country of origin. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to trafficking; however, without formal national procedures to identify trafficking victims, some victims might have remained unidentified in the law enforcement system. The government would sometimes require the testimony of identified trafficking victims as a condition of using the police station as temporary shelter. To prevent retaliation from suspected traffickers, trafficking trials might be held in private or by camera for the sake of the victim or witness' confidentiality and privacy; however, the government did not report doing so in the reporting period. Further, while the 2014 anti-trafficking law entitled victims to restitution, for the fourth consecutive year, the government did not implement this provision.

PREVENTION

The government maintained efforts to prevent trafficking and coordinate national-level anti-trafficking measures. The National Office to Combat Trafficking, intended to lead national efforts, did not receive funding or demonstrate leadership in driving national efforts or raising awareness and did not undertake steps to operationalize the national action plan. The government continued to employ a national toll-free hotline to report child abuse, including child trafficking. The Ministry of Justice continued its anti-trafficking awareness campaign to educate the public on the 2014 anti-trafficking law through weekly national radio broadcasts.

A 2013 ban on domestic worker travel to Gulf countries remained in place; however, illicit recruitment agencies circumvented the ban by sending workers through Mauritius, Kenya, Comoros, and the Seychelles. In an attempt to address this issue and identify agencies involved in fraudulent recruitment, the government continued its suspension of all existing accreditations for placement agencies and, thus, its prohibition of recruitment of workers for employment abroad. These prohibitions continued to leave migrant workers vulnerable to blackmail and human trafficking. The government did not make progress on the effort to set up a tripartite agreement between the government, placement agencies, and vocational training centers. The government did not collaborate with destination country governments to protect Malagasy migrant workers and jointly address cases of abuse.

The government made some efforts to reduce the demand for sex tourism; in 2017, the Ministry of Tourism, in partnership with international organizations, facilitated approximately 1,000 tourism operators in 12 regions to accede to the Tourism Code of Conduct against Commercial Child Sexual Exploitation and Sex Tourism. The Ministry of Tourism conducted hotel inspections, reminding hotels of their obligation to display posters publicizing the prohibition of child sexual exploitation in their reception areas; the government also maintained such billboards at airports as a warning for tourists. However, despite the prevalence of sex tourism, the government did not report any prosecutions or convictions for sex tourism, and reports of official complicity in such crimes continued. The government did not provide anti-trafficking training to its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

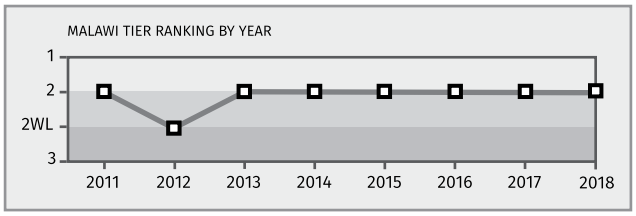
As reported over the past five years, Madagascar is a source and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Malagasy children, mostly from rural and coastal regions, and from impoverished families in urban areas, are exploited in child sex trafficking, domestic servitude, and forced labor in mining, fishing, and agriculture across the country. The prevalence of child forced begging has increased in Antananarivo; reports indicated that children, including disabled children, are forced to work for long hours and in dangerous conditions, frequently at the behest of their parents. Most child sex trafficking occurs with the involvement and encouragement of family members; however, tourist operators, hotels, taxi drivers, massage centers, and local adults in prostitution also facilitate this crime. Some children are fraudulently recruited for work in Antananarivo as waitresses and masseuses before being exploited in child sex trafficking. Malagasy men exploit the majority of child sex trafficking victims. Reports suggest child sexual exploitation is also prevalent in tourist destinations and surrounding formal and informal mining sites. The majority of child sex tourists are French and Italian nationals, and to a lesser extent, other Westerners and Comorians. NGOs previously reported government officials' complicity in obtaining falsified national identity cards facilitates child sex trafficking in Madagascar and forced labor in domestic servitude of Malagasy women abroad. Previous reports indicated child sex trafficking of boys was becoming more prevalent. Forced labor persisted in the context of "*dinas*," which were informal arrangements for payment or in response to wrongdoing and a way of resolving conflicts or paying debt; these arrangements persisted because authorities did not effectively enforce the law.

Many Malagasy women are employed as domestic workers in Lebanon, Kuwait, China, and Saudi Arabia, and the media reports that informal placement agencies are still attempting to circumvent the 2013 ban against sending workers to the Middle East by routing them via Mauritius, Seychelles, Comoros, and Kenya using tourist visas. Malagasy women are sent by persons acting as informal placement agents to China with falsified identity cards and exploited in forced labor and sold as brides. Reports state that Malagasy men in the Middle East may endure forced labor in the service and construction sectors and may endure forced domestic servitude in China. Recently, migrant workers are increasingly targets for blackmail or solicitation of bribes, largely consequences of the suspension of accreditation of placement agencies. Reports indicate Malagasy workers in Lebanon are victims of various forms of abuse by their

employers, such as physical violence and confiscation of passports, which might have been a factor in their subsequent imprisonment.

MALAWI: TIER 2

The Government of Malawi does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Malawi remained on Tier 2. The government demonstrated increasing efforts by prosecuting and convicting 26 traffickers and handed down sentences ranging from 12 to 21 years imprisonment. It identified 121 trafficking victims and coordinated with a foreign government to repatriate two women who were exploited abroad. The government launched its anti-trafficking fund intended for victim services. The government also launched a five-year anti-trafficking national action plan and continued to conduct awareness-raising activities. However, the government did not meet the minimum standards in several key areas. The government did not always employ a victim-centered approach in the courtroom and continued to lack systematic procedures for the proactive identification of victims and their referral to care. In November 2016, a United States District Court for the District of Maryland issued a default judgment awarding more than $1 million in damages to a domestic worker who sued her former employer, a Malawian diplomat, for human trafficking; the diplomat left the United States in 2012. The diplomat did not pay the outstanding judgment nor did the government report taking any action during the reporting period to hold the diplomat accountable. Despite launching the anti-trafficking fund, it did not provide adequate funding to NGOs, which took the primary responsibility for providing protective services to victims.



RECOMMENDATIONS FOR MALAWI

Enter lists of enforcement and protection officers and shelters for trafficking victims in the official gazette in order for the law to be fully operational; fully implement the prosecution and protection provisions in the 2015 anti-trafficking law; vigorously prosecute and sentence both sex and labor trafficking offenses under the 2015 law; ensure all convicted traffickers receive jail time by consistently applying sufficiently stringent punishments; support training and increase funding for judges, prosecutors, labor inspectors, and police to identify, investigate, and prosecute trafficking crimes; develop formal guidelines to identify trafficking victims, especially among vulnerable populations, and refer them to available services; increase the availability of shelters and protection services for victims, including through in-kind or material support to NGOs for expansion of direct service provisions; improve and expand the collection of national prosecution and protection data; and increase awareness and monitoring of trafficking crimes, as well as efforts to identify traffickers and victims at border crossings and internal police checkpoints.

PROSECUTION

The government maintained robust law enforcement efforts. The 2015 Trafficking in Persons Act prohibited labor and sex trafficking and prescribed punishments of up to life imprisonment, without the option of fines. These penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape.

In 2017, the Malawi Police Service (MPS) reported anti-trafficking law enforcement data from seven of Malawi's 34 district-level police stations. MPS reported it arrested 42 suspects, prosecuted at least 26 alleged traffickers, and convicted 26; this is compared with 30 arrests and prosecutions, and 18 convicted during the previous reporting period. The government did not report sentencing data; however, according to media reports the courts sentenced two traffickers to 12 and 21 years imprisonment. The Ministry of Home Affairs (MHA), which includes MPS and immigration officials, maintained primary responsibility for the prosecution of trafficking crimes and enforcement of trafficking laws. During the reporting period, a defendant who was self-representing was allowed to cross examine three girls aged 12, 13, and 14 who he exploited in sex trafficking in an open court with 60 onlookers in attendance.

The MPS retained anti-trafficking training in its curricula for the Limbe, Mtakata, and Mlangeni Police Training Schools and Zomba Police College and human trafficking was a topic of continuing education lectures. The Department for Immigration trained an unknown number of new immigration officers on victim identification and assistance to potential trafficking victims. In partnership with an international organization, the government trained an unknown number of magistrates, prosecutors, immigration officers, police investigators, police victim support officers, roadblock officers, and community policing partners. MHA partnered with an international organization to establish cross-border forums with Mozambique, Zambia, and Tanzania, with which the government held monthly information exchanges between law enforcement officials. In November 2016, a United States District Court for the District of Maryland issued a default judgement awarding more than $1 million in damages to a domestic worker who sued her former employer, a former Malawian diplomat, for trafficking; the former diplomat left the United States in 2012. The diplomat did not pay the outstanding judgment nor did the government report taking any action during the reporting period to hold the diplomat accountable.

PROTECTION

The government maintained inadequate protection efforts. The government continued to lack systematic procedures for the proactive identification of victims and their referral to care. Given severe resource constraints, the government relied largely on NGOs to provide long-term protective services. The government identified 121 trafficking victims, a decrease from 168 identified during the previous reporting period. Of those victims, 86 were adults and 35 were children; 29 victims were identified abroad in Kenya, Saudi Arabia, Iraq, and South Africa. The majority of victims identified abroad were women. The government did not provide information on whether these victims were referred to protective services. The government launched in December 2017 its anti-trafficking fund, as required by the 2015 anti-trafficking law. The fund, intended to finance delivery of protective services, shelter refurbishment, and repatriation, has yet to be credited with the budgeted funds. The government did not report how much of

this budget was actually dispersed during the reporting period. The government did not provide in-kind or financial support for most NGO services, including those offered at the only dedicated shelter for trafficking victims in the country, which was operated by an international NGO. The government ran one social rehabilitation center in Lilongwe for vulnerable children, orphans, and child trafficking and gender-based violence victims, providing counseling and rehabilitation services. Despite the establishment of the anti-trafficking fund, the center remained chronically underfunded and poor conditions reportedly led some child sex trafficking victims to leave the shelter and return to the brothels from which they had been removed. The lack of adequate and sustained assistance left victims vulnerable to re-trafficking.

Some of the approximately 300 police sub-stations at the village level housed victim support units (VSUs) to respond to gender-based violence and trafficking crimes; however, the VSUs lacked capacity to respond adequately and the quality of services remained variable throughout the country. Some foreign victims avoided these centers due to fear of deportation. Malawian law does not provide foreign victims with temporary residency or other legal alternatives to removal to their countries of origin; foreign victims faced deportation unless they challenged their immigration status in court. The government coordinated with the Government of Iraq to repatriate two women who were exploited in Erbil. In 2017, there were no credible reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of their being subjected to trafficking; however, due to a lack of formal victim identification procedures during the reporting period, and the absence of alternatives to deportation for trafficking victims, some unidentified trafficking victims might have remained in the criminal justice system or been deported.

PREVENTION

The government maintained modest efforts to prevent trafficking. The government launched a five-year anti-trafficking national action plan. The National Coordination Committee, established under the anti-trafficking act that came into force in November 2015, met once during the reporting period. Members of the informal Malawi Network Against Child Trafficking, comprising government officials, NGOs, and international stakeholders, registered as an NGO and met several times during the reporting period. The government conducted awareness campaigns via various media outlets. The government continued to participate in the South African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. The government implemented compulsory universal birth registration, by issuing chip-based national identification cards to more than 9 million citizens over 16 years of age and 4.5 million under the age of 15.

The government did not conduct any labor inspections for the third consecutive year. However, after the government became aware of the exploitation of two Malawian women in Iraq, the Ministry of Labor issued a press release urging private employment agencies, the general public, and prospective economic migrants to familiarize themselves with the Labor Export Guidelines. Due to lack of funding, more than 60 percent of positions within the Ministry of Labor were vacant, impeding efforts to identify and penalize fraudulent labor recruitment during the year. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor. Malawi did not provide anti-trafficking training for its diplomatic personnel. With support and assistance from foreign entities, the government ensured Malawian troops received anti-trafficking training prior to their deployment abroad on international peacekeeping missions.

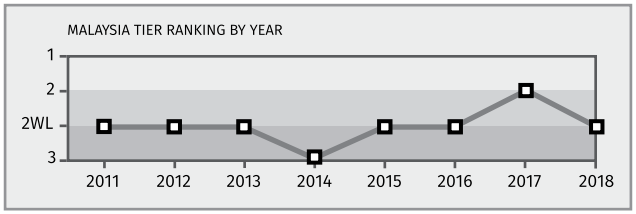
TRAFFICKING PROFILE

As reported over the past five years, Malawi is a source country for men, women, and children subjected to forced labor and sex trafficking. To a lesser extent, it is a destination country for men, women, and children from Zambia, Mozambique, the Great Lakes region, and the Horn of Africa who are subjected to labor and sex trafficking, and a transit country for people from these countries exploited in South Africa. Most Malawian trafficking victims are exploited within the country, generally transported from the southern part of the country to the central and northern regions for forced labor in agriculture (predominantly the tobacco industry), goat and cattle herding, and brickmaking. Many cases of child labor external to the family involve fraudulent recruitment and physical or sexual abuse, indicative of forced labor. Traffickers—primarily facilitators or brothel owners—typically lure children from their families in rural areas under pretenses of employment opportunities, clothing, or lodging for which they are sometimes charged exorbitant fees, resulting in sex trafficking coerced through debts. Traffickers subject teenage boys to forced labor on farms and young girls to sexual exploitation in nightclubs or bars. Children are subjected to forced labor in begging, small businesses, and potentially in the fishing industry; in past years, some were coerced to commit crimes. Adult tenant farmers are vulnerable to exploitation, as they incur debts to landowners and may not receive payment during poor harvests. Malawian victims of sex and labor trafficking have been identified in Mozambique, South Africa, Zambia, Kenya, and Tanzania, as well as Iraq, Kuwait, and Saudi Arabia. Some young girls are drugged, gang-raped, and exploited in commercial sex. Some girls recruited for domestic service are instead forced to marry and subsequently subjected to child sex trafficking by their "husbands." Fraudulent employment agencies lure women and girls to Gulf states where they are exploited in sex and labor trafficking.

MALAYSIA: TIER 2 WATCH LIST

The Government of Malaysia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by convicting more traffickers, increasing criminal enforcement of unauthorized passport retention, granting more victims freedom of movement, tripling funding for NGOs including for three NGO-run shelters, and opening its first trafficking-specific court. The government also amended its foreign worker levy and Private Employment Agency Act to shift debt burdens away from migrant workers. However, the government did not demonstrate overall increasing efforts compared to the previous year. The government's victim protection efforts remained largely inadequate and the government identified fewer victims than the previous year. The Ministry of Human Resources drafted legislative changes that would cover domestic workers under employment laws, but the new regulations had not been approved by the Cabinet by the end of the reporting period, and recruitment practices

often exposed foreign workers to debt bondage. Procedures to extend victims' freedom of movement and the right to work were impeded by bureaucratic delays, lack of appropriate staff, and risk-averse and paternalistic attitudes towards victims; of the 721 victims identified, the government granted two work visas and 91 special immigration passes for freedom of movement. Complicity among law enforcement officials hampered some anti-trafficking efforts; while authorities investigated these crimes, culpable officials typically avoided prosecution and punishment. No Malaysians, including suspected complicit officials, have been prosecuted for the possible trafficking crimes that were uncovered on the border of Thailand in 2015. The government prosecuted fewer suspected traffickers than the previous year. Therefore Malaysia was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MALAYSIA

Significantly increase the number of trafficking victims who obtain approval for freedom of movement; expand freedom of movement allowed of victims in shelters to include unchaperoned movement and at-will communication with people outside shelter facilities; increase the number of trafficking victims who obtain approval for employment; improve implementation of regulations for the 2015 amendments to the anti-trafficking law and formally establish procedures that ensure security assessments are designed to mitigate safety and security concerns of individual victims rather than risk to the shelter or government; increase the number of trafficking prosecutions and convictions, including of complicit officials and forced labor crimes; reduce court delays and increase judicial familiarity with the full range of trafficking crimes, particularly forced labor; make public the results of investigations involving corrupt officials to increase transparency and deterrence and hold officials criminally accountable when they violate the law; provide greater protection against debt bondage to foreign workers during the worker recruitment process; increase law enforcement capacity to investigate and prosecute trafficking cases based on intelligence gathering and information-sharing among government agencies; increase the capacity of labor inspectors to identify trafficking victims among vulnerable groups, such as migrant workers, and to effectively investigate labor trafficking; expand labor protections for domestic workers and investigate allegations of domestic worker abuse; improve case management and communication with trafficking victims, including through increased prosecutor-victim interaction at least two weeks prior to trial in compliance with the attorney general's directive; strengthen collaboration with credible and effective NGOs and implement plans to provide more services for victims, including the construction of new or expansion of existing shelters; expand efforts to inform workers, including domestic workers, of their rights to maintain access to their passports at any time, without delay or approval, and without consequence to their status and relationship with their employer, and include language explicitly stating passports will remain in the employee's possession in model contracts and future bilateral memoranda of understanding with labor source countries; effectively enforce the law prohibiting employers from retaining passports without employees' consent, educate workers and employers on foreign worker rights, including legal recourses and remedies against traffickers, and ensure employers provide lockers or other secure passport storage facilities; and fully implement the 2016-2020 national plan to combat trafficking.

PROSECUTION

The government demonstrated uneven law enforcement efforts. The 2007 Anti-Trafficking in Persons Act—amended in 2010 and 2015—criminalized labor and sex trafficking and prescribed punishments of up to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government conducted 556 trafficking and trafficking-related investigations in 2017, compared to 581 investigations in 2016 and 158 in 2015. The government initiated prosecutions against 80 alleged traffickers, compared to 175 initiated in 2016 and 38 in 2015. The government convicted 45 traffickers—including 13 for forced labor—under the anti-trafficking act, representing the highest number of convictions achieved annually, and compared to 35 in 2016 and seven in 2015. The government sentenced 25 traffickers to imprisonment ranging between 15 months and 12 years. Eleven traffickers received prison sentences ranging between one day and six months, while 12 traffickers received only fines.

In March 2018, the government established an anti-trafficking court beginning in the state of Selangor, which historically had the highest number of trafficking cases. In its first month, the court expedited 12 trafficking cases in an existing court by setting aside a few hours a week for senior, experienced judges to focus on trafficking cases. The majority of prosecutors engaged with victims at least two weeks prior to trial to better understand and address victims' concerns about the inner workings of trials; however, limited availability of certified interpreters and Malaysia's decentralized jurisdictions made it difficult for officials to meet with all victims.

The government expanded the mandate of the interagency law enforcement task force and made it permanent. The government provided new office space for the 17-member interagency group. The task force successfully conducted six operations focused on forced labor in 2017. The Royal Malaysia Police continued to serve as the lead enforcement agency under the anti-trafficking act and maintained a specialized anti-trafficking unit comprising 242 officers posted throughout the country. The labor department's specialized trafficking enforcement team increased the number of officers to 34, from 30. The attorney general's chambers appointed two additional trafficking-specialist deputy public prosecutors throughout Malaysia, raising the total to 54. The government continued to conduct or support anti-trafficking trainings, including 34 in-service trainings for police officials and 14 transnational or bilateral trainings in the region focusing on victim protection, law enforcement, and prosecution, among other topics. Labor inspectors received eight trafficking-focused training sessions. During the year, a total of 40 prosecutors at the attorney general's chambers participated in four trafficking-related training programs.

The 2015 discoveries of migrant camps and mass graves along the border with Thailand fueled reports that corrupt officials facilitated migrant smuggling, which may have included trafficking crimes committed in 2015. The media published a report in December 2017 alleging official misconduct and claiming law enforcement officials conducted a previously undisclosed raid in January 2015; the government reported it

did not reveal the details of the case since it was an ongoing investigation. In 2016, investigations into these camps and graves yielded four migrant smuggling convictions in Malaysia; no Malaysian nationals were among those convicted. The government reported the investigations remained ongoing, and Malaysia and Thailand continued to cooperate in the search for additional suspects. No new charges have been brought and to date no Malaysian national—public official or private citizen—has been prosecuted for alleged trafficking crimes associated with these camps and graves.

Complicity among law enforcement officials, in the form of accepting bribes to allow undocumented border crossings, hampered some anti-trafficking efforts. The government uncovered four smuggling networks operating at Kuala Lumpur International Airport; the immigration director reassigned 600 officials and investigations remained ongoing at the close of the reporting period. Separately, authorities investigated 18 for human smuggling and trafficking in persons and prosecuted two officers for exploitation of their domestic employees (unrelated to their official duties); all cases remained ongoing at the end of the reporting period. In 2016, the government prosecuted five officials for corruption in the form of accepting bribes to allow undocumented border crossings; four were found guilty for smuggling offenses while the fifth official was acquitted.

PROTECTION

The government maintained protection efforts. Law enforcement agencies followed standardized procedures to identify trafficking victims. Identification of labor trafficking cases continued to rely on labor inspections in response to workers' complaints of non-payment of wages and other violations. In 2017, the government identified 2,224 potential trafficking victims nationwide and confirmed 721 victims, compared to 3,411 potential trafficking victims and 1,558 confirmed victims in 2016. Both years represented a marked increase over the 305 victims confirmed in 2015. Enforcement agencies employed the anti-trafficking law broadly by presuming as potential trafficking victims all foreign women during bar or massage parlor roundups. The government shifted significant resources toward forced labor, compared to a previous focus primarily on sex trafficking, partially explaining the decrease in the overall number of victims identified. The government did not proactively screen the vulnerable migrant worker population for indicators of trafficking, which left an unknown number of potential victims without proper care. The anti-trafficking law provided trafficking victims immunity from immigration-related offenses, such as illegal entry, unlawful presence, and possession of fraudulent travel documents. The government sometimes detained, deported, or charged with immigration offenses potential victims who denied they had been subjected to trafficking or when employers confiscated their documents.

Amendments to the anti-trafficking law allowed victims to work and to move freely in and out of government facilities, pending a security risk assessment, medical screening, and mental health evaluation. Of the 721 victims identified, the government issued 91 special immigration passes that would authorize freedom of movement, compared to 12 passes in 2016. However, in practice, authorities sometimes limited movement outside the shelter to occasional trips with a chaperone, two to three times a month. The government issued two work visas to victims, compared to six issued the previous year. Despite government efforts to provide legal employment for victims, government shelter staff reported the majority of eligible participants declined to participate in the program, citing a preference to return home. The government commenced monthly allowance payments of 127 ringgits ($31) to victims for incidental expenditures, and by March 2018, 273 victims received a total of 96,320 ringgits ($23,820). The government did not disburse the funds on a monthly basis, and victims received the allowance as a lump sum when they repatriated home.

The government housed most victims in government facilities as part of a court-ordered 21-day interim protection order (for suspected trafficking victims) or a subsequent 90-day protection order (for certified trafficking victims). Some victims, however, remained in the shelters for up to six months. Shelters sometimes became temporarily over-crowded following increased police efforts to identify victims. The government took steps to reduce shelter overcrowding by providing 80 percent of the funding for three new NGO-run shelters in Kuala Lumpur, Sabah, and Penang; however, the shelters remained underutilized due to bureaucratic obstacles and authorities approved only a small number of victims for transfer to these shelters during the reporting period. Most victims who stayed in government shelters did so without freedom of movement or the right to work, in contravention of global best practices. As in past years, many victims preferred to return immediately to their home countries. Although the law permits victims to testify remotely, authorities generally expected victims to remain in-country pending trial proceedings. During the reporting period, many victims were unwilling to testify. The reluctance of victims to provide witness testimony reportedly stemmed from a desire to avoid protracted criminal proceedings and to quickly rejoin the informal workforce, unappealing shelter and work conditions, and bribes or intimidation from traffickers.

The Ministry of Women, Family, and Community Development maintained seven facilities specifically to house trafficking victims—four for women, one for men, and two for children. During the reporting period, the government allocated 5.6 million ringgits ($1.4 million) to operate its shelters, including funds to open three new trafficking shelters in the states of Kedah, Kelantan, and Sarawak. The government provided basic services for all victims staying in its facilities, including food, shelter, medical care, social and religious activities, and security; NGOs provided some victim rehabilitation and counseling services in most shelters, typically without government-allocated funding. After an initial 21-day period when authorities did not permit victims any communication with persons outside the shelter, victims could make a phone call once per month, and shelter staff provided opportunities for victims to engage in handicrafts and other income-generating activities. In general, NGOs expressed difficulty in maintaining adequate resources and staffing levels to provide consistent services for victims. Overall, the government tripled its funding for NGOs this year, increasing from 483,000 ringgits ($119,440) in 2016 to 1.4 million ringgits ($341,250) to conduct various programs and activities with shelter residents.

PREVENTION

The government increased efforts to prevent trafficking. The home affairs ministry headed the anti-trafficking council (MAPO), which included five enforcement bodies, other government entities, and three NGOs. It met on a quarterly basis and was active in coordinating interagency anti-trafficking efforts and conducting trainings for government ministries, in addition to consultation sessions with NGO partners to strengthen victim protection. In 2017, the government maintained its allocation of 4 million ringgits ($989,120) to operate the MAPO secretariat. The government continued implementing

the national action plan spanning 2016-2020, making progress towards improved cooperation with civil society, integrated action among law enforcement agencies, and increased focus on combating labor trafficking. The government produced and aired 9,006 public service radio broadcasts and 1,605 television segments during the reporting period, compared to 6,492 and 1,648 announcements, respectively, in 2016. It also consulted with civil society to create and publish a new informational booklet for employers of domestic workers. The government printed 2,000 booklets in English and Bahasa Malaysia for distribution to new employers. Labor officials also provided banners and other signage at the Kuala Lumpur International Airport in holding lounges for newly arrived migrant workers in a range of languages to help educate foreign workers about their rights in Malaysia. MAPO partnered with Malaysia Airlines on a human trafficking awareness campaign, kicked off with a three-day exhibition at Kuala Lumpur International Airport. UNHCR and a local NGO mapped stateless people in peninsular Malaysia and submitted nationality applications to reduce vulnerability to trafficking by providing identity documents. In response, the government granted citizenship to 2,168 persons and continued processing the remaining 10,000 applications during the reporting period.

The government strengthened its enforcement of the law against unauthorized passport retention by initiating 70 prosecutions and obtaining 41 convictions of employers who contravened the Malaysian Passport Act of 1966 (17 in 2016). The government also implemented two improvements to labor laws to eliminate conditions that often lead foreign workers into debt bondage. The first improvement required employers to pay the foreign worker levy for any non-Malaysians they hired, instead of forcing workers to bear the costs. The government also amended the Private Employment Agency Act to significantly increase the penalties for violating recruitment laws and to require all recruitment agencies to get a special license from the Ministry of Human Resources to recruit foreign workers, including domestic workers. Employment law continued to exclude domestic workers from a number of protections, including the country's minimum wage. Labor inspectorates conducted 40,869 labor inspections, which resulted in the issuance of 5,257 correction notices, a slight decrease compared to 49,610 labor inspections and 5,297 correction notices in 2016. Labor courts resolved 12,498 labor disputes and ordered employers to provide exploited workers back wages of more than 64 million ringgits ($15.8 million) and levied fines of 979,000 ringgits ($246,090) for non-compliant employers. The government did not demonstrate efforts to reduce demand for commercial sex. The government provided anti-trafficking training for its diplomatic personnel and its troops prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Malaysia is a destination and, to a much lesser extent, source and transit country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. The overwhelming majority of victims are among the estimated two million documented and an even greater number of undocumented migrant laborers in Malaysia. Foreign workers constitute more than 20 percent of the Malaysian workforce and typically migrate voluntarily—often illegally—from Bangladesh, India, Nepal, Burma, Indonesia, the Philippines, and other Asian countries. Employers, employment agents, and informal labor recruiters subject some migrants to forced labor or debt bondage when they are unable to pay the fees for recruitment and associated travel. Outsourcing or contract labor companies may not have oversight of personnel issues or day-to-day working conditions, leading to heightened vulnerabilities to exploitative labor conditions and a reduced ability to resolve disputes for foreign workers. Agents in labor source countries may impose onerous fees on workers before they arrive in Malaysia, and additional administrative fees after arrival in some cases cause debt bondage. Large organized crime syndicates are responsible for some instances of trafficking.

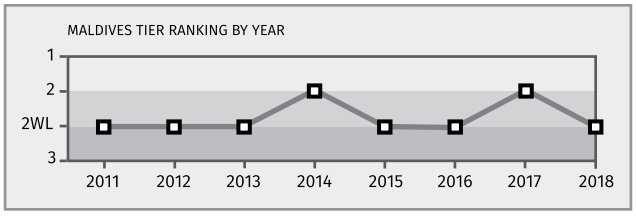
Official complicity and corruption among immigration and police officers remains a problem and impedes some efforts to address trafficking. NGOs made credible accusations of complicity among some Malaysian law enforcement agencies, including immigration officials who reportedly accept bribes to allow undocumented border crossings. Discoveries of migrant camps and mass graves along the border with Thailand in 2015 and media reporting in December 2017 generated reports some officials were complicit in facilitating migrant smuggling, which may have included trafficking crimes; however, no Malaysian official (or national) was held criminally accountable.

Some migrant workers on palm oil and agricultural plantations, at construction sites, in the electronics and garment industries, and in homes as domestic workers are subjected to practices that can indicate forced labor, such as passport retention, contract violations, restricted movement, wage fraud, and imposition of significant debts by recruitment agents or employers. Contract violations remain widespread in Malaysia. Passport retention remained widespread and problematic; Malaysian law allows employers to hold workers' passports with the workers' permission, but it is difficult to determine if workers have freely given permission, and some employers may retain the passports to prevent workers from changing jobs. In efforts to circumvent anti-trafficking protections established by the Indonesian government, some Indonesian workers may transit Malaysia legally en route to Middle Eastern countries, where traffickers exploit some into forced labor. Although significantly fewer than the number of forced laborers, some young foreign women—mainly from Southeast Asia—are recruited ostensibly for legal work in Malaysian restaurants, hotels, and beauty salons, but are instead forced or coerced into prostitution. Traffickers force some women and girls into prostitution through brokered marriages. The more than 152,000 registered refugees and asylum-seekers in Malaysia lack formal status and the ability to obtain legal work permits, leaving them vulnerable to trafficking. Many refugees incur large smuggling debts, which traffickers use to subject some refugees to debt bondage. Traffickers exploit Malaysian orphans and children from refugee communities for forced begging. The number of internal Malaysian victims, including child victims, is increasing due to the additional focus on labor trafficking.

MALDIVES: TIER 2 WATCH LIST

The Government of Maldives does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by launching an online case management system and elevating its anti-trafficking unit status to department level for greater access to resources and funding. Immigration officials created and implemented a pre-departure screening system for Bangladeshi migrant workers in part to reduce fraudulent recruitment. However, the

government did not demonstrate increasing efforts compared to the previous reporting period. The government's trafficking law does not conform to the 2000 UN TIP Protocol as its definition of human trafficking is generally predicated on the movement of the victim. The government did not adopt standard operating procedures (SOPs) for victim identification, protection, and referral, thereby inhibiting proactive identification of victims and, at times, resulting in the deportation of victims. The government's investigation of possible trafficking cases decreased sharply, possibly as a result of poor victim identification efforts. Trafficking victim protection services were limited—victims lacked regular access to psycho-social support, interpreters, and a dedicated shelter. Therefore Maldives was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MALDIVES

While respecting due process, increase investigations, prosecutions, and convictions against all forms of trafficking, and against officials complicit in trafficking-related crimes; amend the Prevention of Human Trafficking Act (PHTA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; formally adopt SOPs for proactive identification of trafficking victims and referral to protection services, and train all relevant government officials on their use; re-establish the state-run shelter and consistent rehabilitation services, including psycho-social support and interpretation; finalize and implement the SOPs for shelter operations and victim services; increase efforts to monitor and punish labor recruitment agents and firms engaging in fraudulent practices; enforce prohibitions against passport retention by employers, including government agencies; and raise public awareness of human trafficking through media campaigns.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts during the reporting period. The PHTA criminalized some, but not all, forms of sex and labor trafficking. Inconsistent with the definition of trafficking under international law, the PHTA required transportation of a victim in order to constitute a trafficking offense. The law criminalized child sex trafficking but did not make clear if forced prostitution of adults was considered a form of trafficking. Article 16 criminalized debt bondage without reference to transportation. The PHTA prescribed penalties of seven to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Maldives Police Service (MPS) reported investigating one labor trafficking case, a decrease from 10 forced labor and one sex trafficking case during the previous reporting period. The Prosecutor General's Office (PGO) continued prosecuting four labor trafficking cases against five Maldivian and seven Bangladeshi defendants from the previous reporting period. It also initiated the prosecution of one new sex trafficking case against one Maldivian defendant compared with four new prosecutions in the previous reporting period. The government did not secure any convictions during the reporting period compared with three foreign nationals convicted under the PHTA in the previous reporting period.

MPS reported the elevation of the anti-human trafficking unit from a unit level to a department level under the Head of Crime Investigations to increase its future access to resources and funding. In May 2017, MPS, in partnership with an international organization, launched an online trafficking case management system which also allowed potential victims to submit cases to the police online; however, it was only available in English, which limited its utility. Maldives Immigration continued to implement a mandatory training curriculum on trafficking for new recruits. MPS conducted a training during the reporting period for two officers who separately participated in an international anti-trafficking training conference with the Republic of Korea. Despite these trainings, officials conflated human trafficking with smuggling and undocumented migrants, and government efforts focused mainly on transnational labor trafficking to the possible detriment of addressing sex trafficking cases. Government officials acknowledged a need for more training.

Private employers and some government agencies held the passports of foreign workers they employed. These included the education and health ministries, which held the passports of foreign teachers and health care workers. Maldives Immigration investigated cases of employer passport retention and negotiated the return of documents to employees; however, the government did not report whether it penalized employers for such acts or investigated potential labor or trafficking crimes among these populations. Authorities recognized the lack of law enforcement cooperation agreements with source country governments as an obstacle to investigations in cases with foreign victims or perpetrators; they did not report collaborating with other governments during the reporting period. The absence of dedicated foreign language interpreters for victims and witnesses continued to hamper law enforcement and victim protection efforts. Observers stated some traffickers operated with impunity because of their connections with influential Maldivians and alleged the government was more likely to prosecute foreign suspects than Maldivian suspects. Observers reported some officials warned businesses in advance of planned raids for suspected trafficking offenses or other labor abuses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government decreased its victim identification and protection efforts. The government did not identify any victims during the reporting period, a decrease from 18 in the previous reporting period. Two victims identified in a previous reporting period continued to receive services from the government. Victims were entitled to receive rehabilitative services, including shelter, health care, counseling, translation services, and police protection; however, in practice, victim care services were limited. Victims lacked regular access to psycho-social support, interpretation services, and a dedicated shelter. The government had not reopened or constructed a new dedicated trafficking victim shelter since 2014, reportedly due in part to budget constraints. The government housed two victims identified in a previous reporting period in guesthouse facilities. PGO's victim support officer, assigned to ensure victims' needs were met, was only available to trafficking victims whose cases would be prosecuted. PHTA article 32 provided a 90-day reflection period during which victims were eligible to receive services while deciding whether to assist authorities in a criminal case.

The police reported two victims received extensions of the reflection period.

The government did not formally adopt SOPs for victim identification, protection, and referral that the Anti-Trafficking National Steering Committee (NSC) finalized in a previous reporting period. Although MPS reported it had disseminated the SOPs to its officers in the past, other government agencies were not aware of these SOPs; this at times resulted in the deportation of potential victims without an investigation. Foreign victims may receive a special visa allowing them to remain in Maldives and work during the course of the investigation and prosecution; however, the PHTA permitted the deportation of identified victims who had voluntarily entered Maldives illegally.

PREVENTION

The government demonstrated mixed efforts to prevent human trafficking. While it implemented a pre-departure screening system for Bangladeshi migrant workers in part to reduce fraudulent recruitment, overall government anti-trafficking coordination decreased. The Ministry of Economic Development (MED) had responsibility for coordinating government and NGO anti-trafficking efforts through the NSC. The NSC did not meet during the reporting period; however, a lower-level advisory body met quarterly. The government had a 2015-2019 national action plan; however, several agencies continued to report overall government coordination was weak. The government's anti-trafficking infrastructure largely excluded the Ministry of Gender and Family, which had previously held the chair of the steering committee. This arrangement increased coordination challenges. The NSC failed to comply with a legal requirement to develop an annual report of its activities and submit it to parliament. The government continued to promote its trafficking hotline through banners at the airport; the hotline received 20 calls during the reporting period, none of which resulted in investigations or referrals to services.

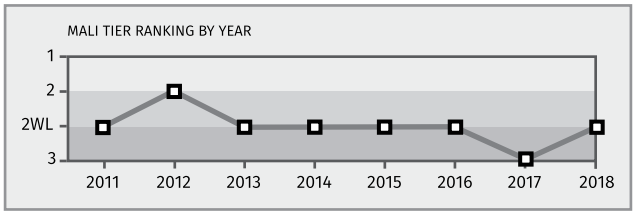
Maldives Immigration created and implemented the pre-departure screening system for Bangladeshi migrant workers. The system required Bangladeshi employment agencies to register in the system and agree to standard wage and safety conditions. The system also established electronic contracts with migrant workers that recruiters could not amend. The government's revised regulations on all foreign employment agencies required agencies to be licensed and fully compliant with regulations by July 2017. MED made 40 inspection visits to agencies in 2017. During the reporting period, the Labor Relations Authority stopped blacklisting labor-recruiting companies and individuals for labor-related infractions due to the belief that blacklisting was ineffective as companies could register under a new name to continue operations. Maldives Immigration continued to implement a program allowing local companies to employ undocumented victims of labor law violations to extend the victims legal status to remain in the country; during the reporting period, 3,499 undocumented workers enrolled in this program. The government did not report any efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Maldives is a destination country for men, women, and children subjected to forced labor and sex trafficking, and a source country for women and children subjected to labor and sex trafficking. An unknown number of the approximately 100,000 documented and 60,000 undocumented foreign workers in Maldives—primarily Bangladeshi and Indian men in the construction and service sectors—are subjected to practices indicative of forced labor, including fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, and debt bondage. Migrant workers pay approximately $2,500 to $4,000 in recruitment fees to work in Maldives, contributing to their risk of debt bondage upon arrival. In addition to Bangladeshis and Indians, some workers from Sri Lanka, Pakistan, and Nepal reportedly experience recruitment fraud before arriving in Maldives. Recruitment agents in source countries collude with employers and agents in Maldives to facilitate fraudulent recruitment and forced labor of migrant workers. A small number of women from Africa, Asia, Central Asia, and Eastern Europe, as well as girls from Bangladesh and Maldives, are subjected to sex trafficking in Maldives. Some women from South Asia are forced into prostitution after entering the country with their trafficker under the guise of tourism. Maldivian children are transported to the capital, Male, from other islands for domestic service. Some of these children also are reportedly subjected to sexual abuse and may be victims of forced labor. Maldivian women may be subjected to sex trafficking in Sri Lanka.

MALI: TIER 2 WATCH LIST

The Government of Mali does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Mali was upgraded to Tier 2 Watch List. These achievements included investigating and prosecuting an increased number of trafficking cases, including several Quranic school teachers for allegedly forcing children to beg; identifying an increased number of trafficking victims; training judges, magistrates, and police around the country; and disbursing funds specifically for anti-trafficking efforts and victim protection. Despite these achievements, the government did not make significant efforts to address child soldiering. The government provided support to and collaborated with the Imghad Tuareg and Allies Self-Defense Group (GATIA), a non-governmental armed group headed by a Malian general that used and recruited child soldiers, at times by force. The government did not investigate any suspects, including government officials, for child soldiering offenses or make efforts to prevent armed groups from using and recruiting children. Moreover, the lack of funding and resources for police inhibited investigations of reported trafficking cases.



RECOMMENDATIONS FOR MALI

As part of the peace process, engage with non-governmental armed groups to cease recruitment and use of children; cease support to armed groups that recruit and use children; vigorously investigate and prosecute trafficking offenses and convict and punish traffickers, including complicit officials, with sentences prescribed in the 2012 law; provide care to all trafficking victims,

irrespective of their participation in criminal proceedings; follow the established protocol for referring children allegedly associated with armed groups to care, and release any children inappropriately detained; train and equip law enforcement on effective case investigation techniques; further train judges and prosecutors on the 2012 law; continue to provide funding or in-kind support to NGOs that assist trafficking victims; develop and train officials on standardized mechanisms to identify trafficking victims; finalize the draft anti-trafficking national action plan, including formalizing the roles of anti-trafficking committee members; expand and strengthen implementation of programs for the disarmament, demobilization, and reintegration of former child combatants that address specific needs of child ex-combatants; and increase efforts to raise public awareness of trafficking, including child forced begging and child soldiering.

PROSECUTION

The government modestly increased law enforcement efforts. Law 2012-023 Relating to the Combat against Trafficking in Persons and Similar Practices, as amended, criminalized labor and sex trafficking. The law prescribed penalties of five to 10 years imprisonment for sex and labor trafficking—except forced begging—and separately criminalized forced begging with lesser penalties of two to five years imprisonment and a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape.

As in the previous reporting period, the justice minister issued a decree instructing judicial personnel to prioritize prosecutions of cases under the 2012 law. Although the government did not have a centralized mechanism to collect comprehensive anti-trafficking law enforcement statistics, it reported investigating 32 cases involving 63 defendants (initiating 19 new cases and continuing 13 cases from previous reporting periods), prosecuting 13 traffickers (including at least 10 prosecutions initiated during the reporting period), and convicting one trafficker. The government reported investigating 11 cases, prosecuting seven suspects, and convicting four traffickers during the previous reporting period. Of the 13 suspects prosecuted—primarily Quranic school teachers for alleged child forced begging—the government convicted and sentenced one offender to eight months imprisonment and acquitted five additional suspects, although prosecutors were appealing these rulings. There were seven ongoing prosecutions at the end of the reporting period.

The Ministry of Justice trained more than 300 judges, magistrates, and police in five of Mali's eight regions on victim identification and investigations and prosecutions under the 2012 law, and distributed 200 copies of the law in all 13 national languages. Despite these efforts, continued lack of awareness of the 2012 law stymied law enforcement action; for example, judges dismissed cases against at least three alleged traffickers for forced begging because judges were unfamiliar with the 2012 law. Additionally, the police's system-wide lack of funding and resources, including vehicles and equipment to investigate crimes, impeded anti-trafficking efforts. Due to continuing security concerns, the government had limited or no judicial presence in four of the country's eight regions, primarily in the north and center of the country. The government continued the investigation from the previous reporting period of a former diplomat from Democratic Republic of the Congo and two Malian police officers for allegedly facilitating the transportation of Congolese girls to African, European, and Asian countries for exploitation. The non-governmental armed group GATIA, led by a Malian general, used and recruited child soldiers during the reporting period, but the government did not report any investigations, prosecutions, or convictions of traffickers, including complicit officials, for child soldiering offenses.

PROTECTION

The government maintained efforts to identify and protect trafficking victims. Government officials and NGO partners identified 104 trafficking victims and 43 potential trafficking victims during the reporting period, including Malians exploited in Mali and abroad and foreigners exploited in Mali. This is compared to the government and NGOs identifying 143 potential trafficking victims the previous reporting period. Among the potential victims, authorities identified 41 Nigerian sex trafficking victims (36 women and five girls), 40 children in forced begging, and 23 child soldiers; the remainder included those exploited in unknown forms of trafficking and those vulnerable to exploitation. The government did not report identifying any victims of hereditary slavery. The government did not have standardized mechanisms to identify trafficking victims.

The government worked closely with RAFY, a national network composed of NGOs; international organizations; and government ministries, including the Ministry for the Advancement of Women, Children, and the Family (MFFE), to refer all identified trafficking victims to service providers. While in some cases police denied assistance to trafficking victims if they did not file police reports against their traffickers, NGOs—with some government assistance—assisted all trafficking victims identified during the reporting period. Services varied by location but generally included shelter, food, counseling, vocational training, repatriation, and reintegration assistance. Most service providers were NGOs, and the government relied on these NGOs to provide the majority of services, funded by private and international donors. With funding from the national anti-trafficking committee, however, the government provided in-kind support, including furniture to NGO shelters. MFFE had general care facilities that could assist trafficking victims, although it did not report if they assisted any trafficking victims during the reporting period. Shelters and services for victims outside the capital remained limited, especially in the north. Foreign and domestic victims received the same services, and while some facilities could offer specialized services for females, there were no such services for males. The government issued travel documents and provided logistical coordination to facilitate the repatriation of at least 52 foreigners exploited in Mali. In collaboration with NGOs, MFFE also coordinated repatriation for Malian nationals exploited abroad and food, shelter, and medical assistance upon repatriation. The government provided monetary assistance to some Malian trafficking victims repatriated from Libya. The government referred victims to and provided security for an internationally run transit center for children separated from armed groups, including ex-child combatants. The National Directorate for the Advancement of Children and Families provided interim care, including medical and rehabilitation services, when victims could not be immediately placed at the transit center and assisted with family reunification. The center assisted at least 11 children during the reporting period.

The government did not offer legal alternatives to removal to countries in which victims would face retribution or hardship, and it did not have formal policies to encourage victims to participate in trials against their traffickers. Victims could file civil suits against their traffickers, but the government did not

report that any did so during the reporting period. Malian law protected victims from being fined, detained, or otherwise penalized for crimes committed as a result of being subjected to trafficking; however, at least three children remained in state-run detention facilities for association with armed groups because the government considered them to be adults; some of the children had been in detention since April 2015. This was a decrease from seven children detained the previous reporting period. In at least 13 other cases, authorities followed the government's 2013 inter-ministerial protocol requiring them to direct former child soldiers to rehabilitation centers.

PREVENTION

The government maintained efforts to prevent trafficking. Officials continued modest efforts to implement the 2015-2017 anti-trafficking national action plan and began drafting a new plan. The national anti-trafficking committee met frequently during the reporting period, but the lack of coordination and ownership for activities in the action plan among committee members impeded its effectiveness. The government allocated 200 million West African CFA francs ($355,660) for anti-trafficking efforts, the same amount allocated the previous year, and donated a vehicle to the committee. With this funding, the government conducted at least seven trainings on the 2012 law, awareness-raising activities, and provided in-kind support to NGO victim shelters. With an NGO, the government also conducted an awareness-raising session on child forced begging for Quranic teachers in Segou. The police had a hotline for crimes against women and children, although it did not report receiving any trafficking cases during the reporting period. The government did not make efforts to address the fraudulent recruitment of Malians abroad, and labor inspectors remained without sufficient capacity or resources to regulate the informal sector, where most cases of forced labor occurred. The government did not make efforts to decrease the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to Malian troops prior to their deployment abroad as part of international peacekeeping missions.

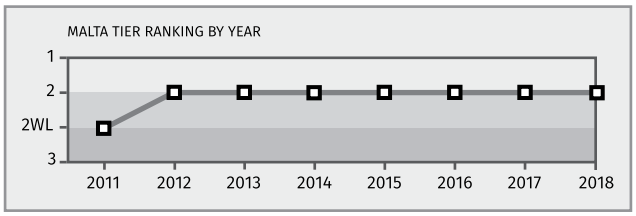
TRAFFICKING PROFILE

As reported over the past five years, Mali is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Humanitarian actors report high unemployment, food insecurity, and security threats drive some families to sell their children into domestic servitude or forced labor in gold mines. Internal trafficking is more prevalent than transnational trafficking. Boys from Mali, Guinea, and Burkina Faso are subjected to forced labor in agriculture—especially rice production—artisanal gold mines, domestic work, transportation, begging, and the informal commercial sector. Malian boys are also forced to beg or perform agricultural work by unscrupulous Quranic teachers in neighboring countries, including Senegal and Guinea. Some members of Mali's black Tuareg community are subjected to slavery practices rooted in traditional relationships of hereditary servitude. Men and boys, primarily of Songhai ethnicity, were subjected to a long-standing practice of debt bondage in the salt mines of Taoudeni in northern Mali. NGO reports indicate Malian children endure forced labor on cotton and cocoa farms in Cote d'Ivoire. Malian women and girls are victims of sex trafficking in Gabon, Libya, Lebanon, and Tunisia and domestic servitude in Lebanon, Saudi Arabia, and Tunisia. Women and girls from other West African countries, particularly Nigeria and Benin, are recruited with promises of jobs as nurses or waitresses in Bamako but exploited in sex trafficking throughout Mali, including in Chinese-run hotels and especially in small mining communities. Nigerian authorities estimate more than 5,000 Nigerian girls are victims of sex trafficking in Mali. Traffickers force women and girls into domestic servitude, agricultural labor, and support roles in artisanal gold mines. Reports allege corruption and complicity among local police and *gendarmes* in Farako may have facilitated forced labor and sex trafficking in mining communities. Africans transiting Mali to Europe, primarily via Algeria and Libya and less so via Mauritania, are vulnerable to trafficking, and Nigerian traffickers exploit Nigerian women in sex trafficking in Mali en route to Europe. An international organization repatriated more than 1,430 Malians from Libya in 2017, some of whom may have been trafficking victims.

During the reporting period, the government did not exercise control over the majority of its territory and lost ground it had previously regained. Justice officials had no or an extremely limited presence in four of Mali's eight regions, limiting the government's ability to provide justice, victim services, and gather data. Since early 2012, rebel and Islamic extremist groups have occupied parts of northern Mali. Terrorist organizations and armed groups continue to recruit and use children, mostly boys, in combat, requiring children to carry weapons, staff checkpoints, guard prisoners, and conduct patrols; some used boys for running errands and spying. Some of these groups have also used girls in combat, support roles, and for sexual exploitation, including sexual slavery through forced marriages to members of these militias. The armed groups purportedly force some families to sell their children to the groups or coerced communities into giving up teenage boys to the groups for "community protection." An international organization reported traffickers fraudulently recruited some children for education in Quranic schools but forced them to fight with armed groups. Some poor families reportedly insert their children into the ranks of armed groups because parents believe they will benefit from disarmament, demobilization, and reintegration assistance. In the past, a Malian armed group forcibly recruited Malian refugees in Mauritania to be child soldiers in Mali. The government provided in-kind support to and collaborated with GATIA, a non-governmental armed group led by a Malian general that used and recruited at least nine children during the reporting period. In 2016, an international organization investigated GATIA officials, Malian Defense and Security Forces officers, and civilians for conflict-related sexual violence, including forced prostitution and sexual slavery.

MALTA: TIER 2

The Government of Malta does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Malta remained on Tier 2. The government demonstrated increasing efforts by providing more training to law enforcement personnel, increasing shelter capacity, and allocating more funding to counter trafficking. It also established a victim support unit to provide counseling, information, and referral services to victims of all crime, including trafficking. However, the government did not meet the minimum standards, as it has not secured any trafficking convictions since 2012, lacked coordination among ministries, which may have delayed the issuance of residency and work permits, and did not conduct any awareness campaigns during the reporting period.



RECOMMENDATIONS FOR MALTA

Vigorously and expeditiously investigate and prosecute trafficking offenses, and pursue adequate sentencing for convicted trafficking offenders; improve coordination efforts among ministries to provide the timely receipt of residency and work permits for victims; reduce turnover in police anti-trafficking roles; increase collaboration between police and other stakeholders during investigations; increase efforts and training of relevant staff and officials to proactively identify trafficking victims among vulnerable immigrant populations, particularly migrant workers, and women in prostitution; use anti-trafficking training for police officers, prosecutors, and judges to increase focus on working with victims and procedures for appropriate referral for care; disburse sufficient funding to the inter-ministerial committee for implementing the national action plan; continue funding for both short- and long-term shelter and assistance adapted to the needs of trafficking victims, including male victims and minors; provide adequate availability of interpretors for victims; and increase awareness campaigns.

PROSECUTION

The government maintained law enforcement efforts. Article 248A-G of the criminal code criminalized all forms of trafficking and prescribed penalties of four to 12 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The police vice squad, responsible for trafficking, conducted seven investigations, compared to three in 2016. The government initiated the prosecution of one Maltese national and one Chinese national, both for forced prostitution, compared to four individuals prosecuted in 2016. Three labor trafficking prosecutions initiated in 2014 and a 2004 case involving a police official for collusion with a trafficker remained pending at the close of the reporting period. The government has not obtained a trafficking conviction since early 2012. There were no new investigations or prosecutions of government employees complicit in human trafficking offenses.

The government increased efforts to train police and prosecutors over the reporting period. The Ministry of Home Affairs and National Security organized investigative, judiciary and victim identification training for front-line stakeholders, including police officers and prosecutors. Specifically, the government-funded a British NGO to provide training to law enforcement personnel on child trafficking investigations. Maltese law enforcement cooperated with a foreign government and extradited three Ukrainian nationals on trafficking charges. The slow pace of court proceedings continued to hamper prosecutions relying on victims to provide testimony in court. Although one police officer position is dedicated to trafficking crimes, civil society reported turnover within the position hindered effectiveness.

PROTECTION

The government maintained protection efforts. Police identified 30 foreign trafficking victims (35 in 2016). These included 24 Ukrainian labor trafficking victims (all from a single case) and six female victims (four Chinese nationals and two Hungarian nationals). The government had standard operating procedures for victim identification that allowed a range of entities to refer victims to the government's social welfare agency. The national welfare agency offered medical care, employment services, counseling, and additional emergency shelters and staff. This resulted in an increase in the allocation of funds for trafficking cases in 2017. In one large case, the police and national welfare agency joined coordination efforts during a forced labor investigation in order to prepare for a large number of victim referrals. The agency leased additional apartments on a three-year basis to temporarily shelter these victims and to build shelter capacity for future victims. All 30 victims identified in 2017 received care services. While NGOs reported assisting victims who are children, the government has never formally identified a child trafficking victim.

The government encouraged, but did not require victims to assist in the investigation and prosecution of their alleged traffickers and provided them with protective support, including the option to testify via video, although this was inconsistently offered. Some victims reported challenges in the availability of translators. The law provided victims a two-month reflection period to recover and contemplate cooperation with law enforcement. In 2017, the government established a victim support unit to provide counseling, information, and referral services to victims of all crime, including trafficking. Foreign victims who decided to assist police in prosecuting trafficking cases were entitled to a renewable six-month temporary residence permit, police protection, legal assistance, and the right to work. The government provided these temporary residence permits to the majority of the trafficking victims identified during the calendar year.

NGOs reported a lack of coordination among the police, the national welfare agency, and immigration officials negatively affected victims' ability to obtain residency and work permits, especially for victims of forced labor. Victims can apply for restitution from the government and file a civil suit against the perpetrators for the restitution of unpaid salaries and other expenses. One civil suit was under judicial consideration during the reporting period. There were no reports the government penalized victims for unlawful acts committed as a direct result of being subjected to trafficking. Courts, however, have convicted some minors for prostitution in recent years, who may have been unidentified sex trafficking victims. Additionally, migrants who entered the country illegally, some of whom may have been trafficking victims, were routinely held in detention centers. In December 2015, the government issued guidance that limited the circumstances under which irregular migrants could be detained.

PREVENTION

The government maintained prevention efforts. The inter-ministerial anti-trafficking committee continued to implement a national action plan, and it published a new action plan for 2017 to 2020. The government increased its anti-trafficking budget from €20,000 ($24,010) in 2017 to €35,000 ($42,020) in 2018, which excluded government funds provided to agencies for victim support provided elsewhere in the budget. The government did not conduct any awareness campaigns during the reporting period. The inter-ministerial anti-trafficking committee charged with implementing the national action plan convened several times throughout 2017; however, NGOs reported that despite the meetings, the committee produced

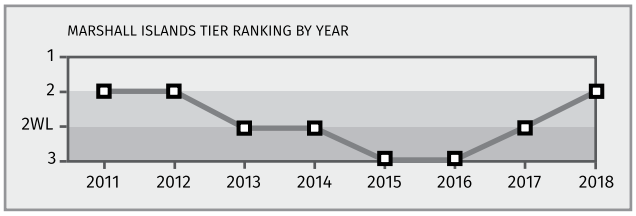
little to no tangible actions to coordinate improvements across the government. Authorities conducted 3,539 labor inspections in 2017. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The national welfare agency continued to run a hotline for individuals in need of social services, including potential trafficking victims.

TRAFFICKING PROFILE

As reported over the past five years, Malta is a source and destination country for women subjected to sex trafficking and a destination for women and men subjected to labor trafficking. Women and children from Malta have also been subjected to sex trafficking within the country. Forced labor victims originate from China, Eastern Europe and Southeast Asia. Women from Southeast Asia working as domestic workers, Chinese nationals working in massage parlors, foreign male soccer players, and women from Central and Eastern Europe, Russia, and Ukraine working in nightclubs represent populations vulnerable to exploitation. The approximately 5,000 irregular migrants from African countries residing in Malta are vulnerable to trafficking in the country's informal labor market, including within the construction, hospitality, and domestic sectors.

MARSHALL ISLANDS: TIER 2

The Government of the Republic of the Marshall Islands (RMI) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore RMI was upgraded to Tier 2. The government demonstrated increasing efforts by enacting a comprehensive trafficking law with increased penalties, continuing implementation of the National Action Plan to Combat Trafficking, and increasing training of officials. However, the government did not meet the minimum standards in several key areas. The government did not report any systematic efforts to identify trafficking victims among foreign and local women in prostitution and did not prosecute or convict any individuals for trafficking offenses.



RECOMMENDATIONS FOR THE MARSHALL ISLANDS

Increase efforts to investigate, prosecute, and convict traffickers under the new law, sentencing them to penalties appropriate for the seriousness of the crime; adopt proactive procedures to identify trafficking victims among all vulnerable groups, such as children, women in prostitution, and foreign fishermen, and train officials on their use; strengthen efforts to implement the national action plan; train law enforcement and prosecution officials to implement the anti-trafficking laws; strengthen efforts to fund and administer protective services for victims in cooperation with NGOs and international organizations; develop and conduct anti-trafficking education and awareness-raising campaigns; undertake research to study human trafficking in the country; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The parliament enacted the Prohibition of Trafficking in Persons Act in April 2017, criminalizing all forms of sex and labor trafficking and prescribing penalties of up to 15 years imprisonment and a fine of $10,000, which were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. The government investigated one new case of child sex trafficking during the reporting period and observers noted at least one additional case of child sex trafficking under investigation, compared with two investigations in the prior reporting period. Both cases involved foreign citizens sexually abusing Marshallese children; one of the cases involved transporting the child outside the country. As in the previous reporting period, the government did not report prosecutions or convictions for trafficking crimes, although the government continued to cooperate with a foreign government investigation of a trafficking case involving a Marshallese man who may be prosecuted outside the Marshall Islands. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses. The government reported increased law enforcement training on trafficking, including participating in the first graduating class of 16 sea patrol officers of the Regional Marine & Terrestrial Conservation Law Enforcement Academy, which focused on environmental protection and combating human trafficking, funded by foreign donors.

PROTECTION

The government maintained its efforts to identify trafficking victims and to ensure their access to protective services. The government continued to implement the national action plan, including increasing available victim services and developing investigation and identification mechanisms. The government identified one child sex trafficking victim and a second potential case of child sex trafficking compared with one identified victim last year. Law enforcement and social services personnel did not employ systematic procedures to identify trafficking victims among women in prostitution and child sex trafficking, but did so in the fishing sector; during the reporting period, law enforcement implemented a standard operating procedure to screen over 100 crewmembers aboard three abandoned fishing vessels but did not identify any cases of trafficking. The government provided protective services at no cost for trafficking and other victims jointly with non-governmental, faith-based and international organizations, which included counseling, legal assistance, testing for sexually transmitted diseases, and accessible services for victims with disabilities. Female minor victims aged 14 and above were assigned to survivor support services and placed in a network of approved safe houses. Adult victims were able to leave safe houses or shelters unchaperoned unless it was determined that doing so might put them in danger. There are memoranda of understanding between multiple agencies for victim referral and the Ministry of Internal Affairs funded two permanent social workers to assist victims of trafficking. The government contributed approximately $93,000 to an NGO, Micronesian Legal Services Corporation, which provided free legal advice and support to victims, including trafficking victims. The government also used its own funds together with funding from an international organization and foreign governments to train more than 50 participants from the government, education, and NGOs for training on psychological trauma, to include providing aid for trafficking victims.

PREVENTION

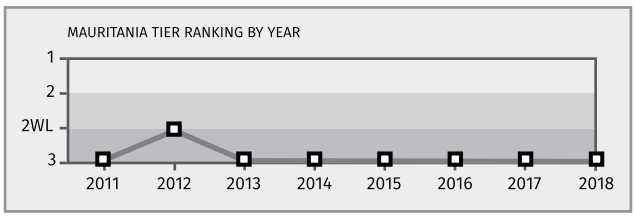
The government increased efforts to prevent trafficking. The National Task Force on Human Trafficking (NTHT) was the lead coordinating body for the government's anti-trafficking efforts. The NTHT collaborated with other governmental and non-governmental entities to conduct awareness campaigns, using materials developed under the national action plan, reaching more than 2,400 people. The government took measures to prevent the commercial sexual exploitation of vulnerable populations, such as underage girls, by prohibiting unauthorized visitors on board licensed foreign fishing vessels docked in Majuro and issuing immigration day passes for most crewmembers that mandate they return to their ship by the evening. The government did not provide anti-trafficking training for its diplomatic personnel, nor did it take steps to reduce the demand for commercial sex acts or forced labor. The RMI is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported in the past five years, the Marshall Islands is a source, transit, and destination country for children, women, and men. It is a destination for East Asian and Marshallese girls and women subjected to sex trafficking and a transit point for foreign fishermen subjected to labor trafficking. Women and girls are recruited and transported by hotel and bar staff and family members and subjected to sex trafficking with crewmembers of foreign fishing and transshipping vessels that dock in Majuro. Observers report sexual activity involving foreign fishermen has moved from fishing vessels to local bars and hotels. Some of these foreign fishermen themselves are subjected to conditions indicative of forced labor on ships in Marshallese waters. Foreign women, most of whom are long-term residents, are subjected to forced prostitution in establishments frequented by crewmembers of Chinese and other foreign fishing vessels; some Chinese women are recruited with the promise of other work and, after paying large recruitment fees, are forced into prostitution. Limited reports indicate some Marshallese searching for work in the United States experience indicators of trafficking, such as passport confiscation, excessive work hours, and fraudulent recruitment. Some Marshallese children are transported to the United States, where they are subjected to situations of sexual abuse with indicators of sex trafficking. Some traditional cultural practices caused impoverished Marshallese from outer islands to serve as indentured labor in the home or on the land of wealthier or more powerful family members.

MAURITANIA: TIER 3

The Government of Mauritania does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Mauritania remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking. The government convicted three slaveholders; allocated increased funding to the Ministry of Social Affairs, Childhood, and Family (MASEF) to improve shelter and services trafficking victims could access; and Tadamoun, the government agency mandated to address poverty and the "vestiges of slavery," continued efforts to reduce socio-economic inequality. However, authorities penalized trafficking victims, continued to prevent certain anti-slavery activists from operating within the country, and increased harassment of anti-slavery activists. Government agencies charged with combating trafficking and slavery continued to lack the resources, personnel, and political will to prosecute politically-connected offenders, and reports persisted of officials refusing to investigate or prosecute perpetrators. Despite an increase in convictions, there remained a fundamental lack of commitment to combat hereditary slavery and other forms of human trafficking.



RECOMMENDATIONS FOR MAURITANIA

Hold government officials accountable for trafficking-related complicity, including the failure to investigate alleged slavery offenses and interference with ongoing investigations; significantly increase efforts to investigate, prosecute, and convict traffickers and slaveholders with sufficiently stringent sentences using the 2003 anti-trafficking and 2015 anti-slavery laws; sufficiently fund the anti-slavery courts, and train prosecutors and judicial officials on the 2003 anti-trafficking and 2015 anti-slavery laws; develop and train authorities on standard procedures to identify and refer trafficking and slavery victims to care; institute measures to support trafficking and slavery victims during investigations, including providing easier access to legal assistance and protection from intimidation and threats from their alleged traffickers; cease penalization of trafficking victims; investigate and prosecute individuals accused of fraudulently recruiting Mauritanians abroad for exploitation; legally recognize eligible anti-trafficking NGOs, allow them to operate freely within the country, and cease harassment of anti-slavery activists; with input from civil society, develop and implement a plan to provide economic resources—through monetary or property allotment—to former slaves and members of traditional slave castes to allow them the opportunity to leave their communities of enslavement; finalize and implement the anti-trafficking national action plan; and increase public awareness of trafficking, including hereditary slavery.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. The 2003 Law Against Trafficking in Persons criminalized sex and labor trafficking, except hereditary slavery, and prescribed penalties of five to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2015 anti-slavery law criminalized hereditary slavery and prescribed sufficiently stringent penalties of five to 20 years imprisonment.

The government investigated 19 suspects in three cases and prosecuted and convicted three slaveholders, a slight increase from one investigation, two prosecutions, and two convictions the previous reporting period. The government also continued 15 investigations from previous reporting periods, although their statuses were unclear. In one case, Mauritanian police and an international organization arrested 15 Quranic school teachers, known as *marabouts*, for child forced begging. The prosecutor declined to press charges and released the *marabouts* when they promised not to force the children to beg. International authorities reported the same children were begging in the streets after the *marabouts'* release, but the government did

not take any further action. Three regional anti-slavery courts had exclusive jurisdiction over trafficking and slavery cases; however, the courts lacked the staff, funding, and resources to investigate and prosecute trafficking and slavery crimes throughout their regions. The three courts received a total of 4.5 million Mauritanian ouiguya [all amounts shown in the Dec. 31, 2017 MRO ouiguya] MRO ($12,670) during the reporting period, although the government had announced a budget of 7,000,000 MRO ($20,000), and none of the appointed judges were specifically trained to address the unique challenges of investigating slavery cases, including how to prevent slaveholders from intimidating victims and victims from withdrawing their cases. Moreover, while other topical courts had specialized prosecutors, there were no specialized prosecutors for the anti-slavery courts. Despite these limitations, the Nouadhibou court heard and completed its first two slavery cases since its inception in 2016 and convicted three slaveholders. In the first case, one slaveholder received a sentence of 10 years imprisonment and a fine. In the second case, one father, now deceased, and his son, who had fled Mauritania prior to the trial, were sentenced to 20 years imprisonment and a fine. These sentences were significantly higher than in the previous reporting period, when judges sentenced two slaveholders to five years imprisonment with four years suspended. The Nouakchott anti-slavery court had never heard a slavery case. The Ministry of Justice directed all courts to transfer cases under the 2003 anti-trafficking and 2015 anti-slavery laws to the anti-slavery courts; judges transferred 13 slavery cases, but at least four slavery cases remained with local courts. The government did not report information on the additional 29 investigations that were ongoing at the close of the previous reporting period. NGOs reported trafficking and slavery victims had begun to file complaints with international courts due to a lack of faith in the Mauritanian judiciary. NGOs reported the government did not initiate any investigations into fraudulent recruitment or continue the investigation initiated in 2016 into a recruitment agency that had allegedly fraudulently recruited more than 200 Mauritanian women to Saudi Arabia for domestic servitude and forced prostitution; NGOs alleged the case was closed and the agency continued to operate. In a second case, a Mauritanian domestic servitude victim in Saudi Arabia attempted to file a complaint against her employer, but the Mauritanian embassy reportedly refused to assist. At the close of the reporting period, an NGO within Mauritania had filed a complaint on her behalf, as well as on behalf of approximately 20 other Mauritanian women exploited in domestic servitude and forced prostitution in Saudi Arabia.

Efforts to address hereditary slavery remained weak. Despite serious concerns of official complicity and corruption in slavery cases, the government did not report any prosecutions or convictions of government officials complicit in human trafficking offenses. Some police, prosecutors, and judges reportedly refused to investigate and try cases of hereditary slavery. Heavy government influence over the judiciary restricted its independence, and reports persisted that prosecutors and judges often prosecuted alleged slave owners for lesser offenses to avoid bringing a slavery case to trial. However, Tadamoun remained a civil party to seven ongoing slavery investigations. During the reporting period, two former slaves appealed to the African Union the lenient sentence given to their former slaveholder in 2011. After the verdict in 2011, the prosecution had appealed the lenient sentence and the defendant had appealed the verdict; the defendant was released pending the appeal, and the judiciary had not taken any further action on the case in the last seven years. In December 2017, the African Union ruled the government had failed to adequately enforce its anti-slavery law, had not duly compensated the victims, and had given too lenient of a sentence to the convicted slaveholder. It further ruled that by failing to fully investigate or prevent cases of slavery, authorities had created a culture of impunity for trafficking. In coordination with NGOs, the government co-led two trainings on the anti-trafficking legal framework for judges and prosecutors.

PROTECTION

The government maintained minimal efforts to protect trafficking victims. The government reported identifying 35 child forced begging victims—20 Mauritanian children and 15 children from neighboring countries—a significant decrease from the previous reporting period, when police identified more than 649 child slavery and trafficking victims. The government did not have formal measures to identify trafficking victims or refer them to care, but it used existing referral procedures for child victims of crime. NGOs noted social workers lacked training to identify trafficking victims, including in domestic work and prostitution, and where to refer them for care. One NGO assisted, including with repatriation, 44 Mauritanian women exploited abroad in forced prostitution. The NGO also identified a Mauritanian man in debt bondage abroad, but neither his alleged trafficker nor the destination government provided authorization for him to return to Mauritania; he remained in debt bondage at the close of the reporting period. NGOs reported caring for 4,616 vulnerable children during the reporting period, which included child victims of violence, abuse, and exploitation, including trafficking. Some of the children received socio-legal assistance, medical care, and educational support from NGOs. The government did not provide financial or in-kind support to NGOs that continued to provide the majority of protective services to trafficking victims.

MASEF managed seven public day centers for the protection and social integration of children, which child trafficking victims could access. In addition, it expanded two of its day centers in Nouakchott to overnight shelters that could provide overnight and long-term care for child victims of crime. The Ministry of Interior's Special Brigade for Minors referred 305 vulnerable children to MASEF's day centers, including an unknown number of *talibes* exploited in forced begging, and 170 disabled children to MASEF's training center for handicapped children, compared with 540 children assisted in these centers in the previous reporting period. MASEF's day centers closed at night, so the *talibes* and other vulnerable children had to return to their exploitative situations or sleep on the streets. After short-term care, MASEF generally referred victims to other government shelters or NGOs for long-term care and vocational training; MASEF continued to assist 700 vulnerable children identified in previous years. The government allocated 35.5 million MRO ($100,000) to MASEF's day centers to fund staff and psycho-social assistance, a slight increase from 35 million MRO ($95,600) the previous reporting period. The government also allocated 3.66 million MRO ($10,300) to MASEF's Office of Childhood and 105 million MRO ($296,000) to MASEF's Vocational Training Center. Shelters accommodated both Mauritanian and foreign victims, although no shelters could accommodate adults; victims had to depart MASEF centers at age 18. The lack of long-term rehabilitative care rendered victims vulnerable to re-trafficking. The government did not provide any services to protect victims from threats or intimidation from their traffickers, nor did it provide training or services to help slavery victims adjust to life after slavery. The Ministry of Justice and MASEF conducted two capacity-building trainings for civil society organizations and government social workers to improve care for child victims of crime.

During the reporting period, the African Union ruled in favor of two former Mauritanian slaves who argued that the government had failed to uphold the anti-trafficking law in their 2011 case. The court ruled the government should enroll the victims in school, provide identity documents, and provide psychological support; the government did not report providing these services after the ruling. The government did not have a formal policy to encourage victims to assist in investigations and prosecutions against their alleged traffickers. The 2015 anti-slavery law provided for comprehensive legal assistance for victims of hereditary slavery and the creation of support centers in each province; however, the government did not report implementing such provisions during the reporting period. While Tadamoun made efforts to reduce poverty, it did not make efforts to protect victims of slavery, which was a central component of its mandate. The law allowed victims to obtain restitution and file civil suits against their traffickers, although the complex and opaque legal system made such efforts extremely difficult; there were no reports any victims did so during the reporting period. The government did not provide legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There were reports the government penalized and imprisoned on fornication charges girls who had been sexually abused, some of whom were likely victims of domestic servitude. Officials jailed women suspected of prostitution and held illegal migrants in detention until their refugee status had been resolved, without screening for trafficking. In 2017, the Ministry of Interior deported 4,971 foreign residents to their countries of origin without screening for trafficking.

PREVENTION

The government maintained minimal efforts to prevent human trafficking but increased harassment of anti-trafficking advocates. No single government agency was responsible for leading national anti-trafficking efforts. The inter-ministerial anti-trafficking committee, which reported to the prime minister, met twice during the reporting period to oversee implementation of the 2014-2017 roadmap to fight the vestiges of slavery, an action plan drafted in collaboration with an international organization. The Commission for Human Rights conducted a public workshop to showcase its draft 2016-2020 anti-trafficking national action plan but did not finalize it for the second consecutive year; it continued to review the draft in collaboration with international organizations. Tadamoun opened five new schools in communities of former slaves and continued to provide income-generating activities in poverty-stricken areas, focusing particularly on communities of slave descendants and groups vulnerable to exploitation. The government organized two slavery awareness campaigns outside of Nouakchott. The government continued to harass and prevent anti-slavery activists from operating in Mauritania; it denied entry into the country to two prominent human rights organizations and denied a national NGO authorization to conduct anti-slavery trainings for *gendarmes*, who were responsible for identifying and investigating trafficking cases in the country's interior. The government did not make efforts to reduce the demand for forced labor or commercial sex acts. Despite large groups of Mauritanians fraudulently recruited for work abroad, the government did not make efforts to oversee labor recruitment or investigate labor recruiters or brokers allegedly involved in fraudulent recruitment. The government signed a Memorandum of Understanding with Saudi Arabia to increase protections for prospective domestic workers, although it did not implement it during the reporting period and denied requests to consult with civil society organizations on implementation. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided Mauritanian troops with anti-trafficking training prior to their deployment abroad as part of international peacekeeping missions.

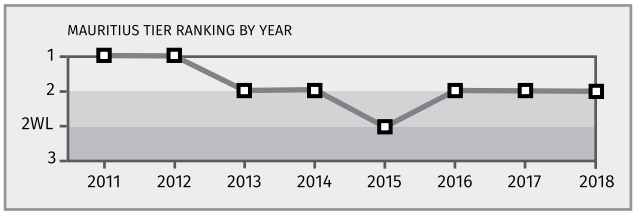
TRAFFICKING PROFILE

As reported over the past five years, Mauritania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Adults and children from traditional slave castes in the Black Moor and Afro-Mauritanian communities are subjected to hereditary slavery practices rooted in ancestral master-slave relationships, where they are often forced to work without pay as cattle herders and domestic servants. Although reliable data on the total number of slaves does not exist, local and international experts agree hereditary slavery continues to affect a significant portion of the country's population in both rural and urban settings. Many former slaves and their descendants remain in a dependent status with their former slave owners, in part due to cultural tradition and a lack of marketable skills, poverty, and persistent drought. Some former slaves and descendants of slaves are forced or have no other viable option than to work for their old masters in exchange for some combination of lodging, food, and medical care. Some former slaves reportedly continue to work for their former masters or others under exploitative conditions to retain access to land that they had traditionally farmed. Some boys from Mauritania and other West African countries who study at Quranic schools are forced to beg for food and money to pay corrupt *marabouts*; boys from low-income families in the Halpulaar community are particularly vulnerable. Approximately 41 percent of Mauritanian children lack birth certificates and are thus generally not permitted to enroll in school, which increases their risk for trafficking. Fraudulent recruiters promise Mauritanian women and girls—especially those from the traditional slave castes and Afro-Mauritanian communities—shelter and an education but force them into domestic servitude, especially in larger cities such as Nouakchott, Nouadhibou, and Rosso. Children of Haratine and Afro-Mauritanian descent working in the fisheries sector are vulnerable to forced labor. An NGO reported girls in border towns have been forced to carry drugs. West African women and girls, especially Senegalese and Ivoirians, are vulnerable to domestic servitude and sex trafficking in Mauritania. Mauritanian, Nigerian, and Senegalese traffickers in the port city of Nouadhibou forced into prostitution Mauritanian women and West and Central African migrants transiting Mauritania en route to Europe. Refugees in Nouadhibou reportedly engage in prostitution due to their dire financial situations, increasing their vulnerability to forced prostitution. Sub-Saharan African migrants transit Mauritania en route to Morocco and Europe, where some are exploited in forced labor and sex trafficking. Mauritanian women and girls are fraudulently recruited by foreign agencies and Mauritanian middlemen for nursing and teaching jobs abroad and exploited in domestic servitude and sex trafficking in the Gulf, including Saudi Arabia. Men from Middle Eastern and North African countries use legally contracted temporary marriages to sexually exploit Mauritanian girls and young women. Mauritanian women and girls from poor families enter into these forced marriages, facilitated by brokers and travel agencies in both Mauritania and in the Middle East promising substantial payment, and are exploited as sex slaves and in forced prostitution in Saudi Arabia and other Gulf countries. In 2016, an international organization identified and removed from a refugee camp in southeastern

Mauritania 16 Malian child soldiers aged 15-17 associated with Malian rebel groups; some of the victims had been recruited in Mali, and others allegedly had been recruited from the camp in Mauritania.

MAURITIUS: TIER 2

The Government of Mauritius does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mauritius remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more suspected traffickers, including its first conviction under the Combating of Trafficking in Persons Act of 2009. The government increased their efforts on public awareness campaigns and continued training front-line officers. However, the government did not meet the minimum standards in several key areas. The government did not report law enforcement efforts to address the trafficking of adults and protection services for adults remained lacking, with neither specialized shelters nor systematic provision of care. Coordination between law enforcement and prosecutors remained weak and the judicial process was slow, discouraging some victims from pursuing legal redress. Efforts to identify victims decreased and, unlike last year, the government did not report investigating any employers that exhibited indicators of trafficking, such as passport retention.



RECOMMENDATIONS FOR MAURITIUS

Improve protection services for adult trafficking victims by developing and implementing standardized procedures for proactive victim identification and referral to protective services, especially among at-risk populations including women in prostitution and migrant workers, and ensuring provision of adequate assistance once identified; improve coordination between law enforcement and prosecutors to decrease the length of the judicial process, including establishing a case conferencing group; continue to investigate and prosecute trafficking offenses, and convict and punish traffickers under the anti-trafficking law, including cases involving forced labor or forced prostitution of adults; empower an inter-ministerial coordination committee to address all forms of trafficking, not just child trafficking; increase monitoring of employers of migrant workers to identify and investigate indicators of trafficking; continue to provide specific anti-trafficking training to law enforcement officials and labor inspectors, social workers, prosecutors, and magistrates to improve case investigation and victim identification and referral to appropriate care; finalize the national action plan to combat trafficking, allocate sufficient funding to its implementation, and ensure clear roles and responsibilities in its implementation; and develop a national level centralized data collection mechanism for comprehensive statistics on law enforcement efforts and trafficking victims.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. The Combating of Trafficking in Persons Act of 2009 criminalized sex and labor trafficking of adults and children and prescribed penalties of up to 15 years imprisonment. In addition, the amended Child Protection Act of 2005 criminalized child sex and labor trafficking and prescribed penalties for child trafficking offenses of up to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2009 anti-trafficking law prohibited the recruitment of workers by using fraudulent or deceptive offers; however, the law did not extend to foreign recruiters who operated outside Mauritius.

The government had no centralized data collection mechanism, making comprehensive statistics difficult to obtain. In 2017, the government initiated four investigations and prosecuted six individuals, all for child sex trafficking; of the prosecuted individuals, all were Mauritians, except one French individual. This compared to three investigations and one prosecution in 2016. The government also continued the prosecutions of 26 suspected traffickers initiated in previous reporting periods, all of which remained ongoing at the end of the reporting period. The government reported convicting two traffickers, both for child sex trafficking, compared with zero convictions in 2016. One trafficker was convicted for 'causing a child to be sexually abused' under the Child Protection Act; the trafficker was sentenced to six months imprisonment. For the first time, the government convicted a trafficker for child sex trafficking under the anti-trafficking bill and prescribed a penalty of three years imprisonment. The judicial process continued to be prohibitively long, frequently many years, which could dissuade victims from seeking legal redress; lack of coordination among law enforcement and prosecutors continued to contribute to the lengthy judicial process during the reporting period. Historically, the Ministry of Labor, Industrial Relations, Employment, and Training (MOL) addressed potential labor trafficking cases through arbitration and mediation, rather than referral for criminal investigation and prosecution, allowing traffickers to repeatedly commit trafficking offenses and face only administrative penalties.

The Mauritius Police Force continued the operation of an internal coordination committee to combat trafficking and a "TIP desk" where two police officers focused on trafficking cases and could serve as a resource to other police units. During the reporting period, the Mauritius Police Training School provided anti-trafficking courses to 91 sub-inspectors and police corporals, 130 trainee police constables, and 221 police recruits, this compared to 771 trained last reporting period. The MOL conducted an in-house trafficking training for 112 labor officers and inspectors, including the Special Migrants Unit. Despite these training efforts, some law enforcement officers continued to lack an understanding of the anti-trafficking law; proper investigations, including collection of evidence and adequate witness testimony, remained difficult for law enforcement, often leading to lengthy and poor investigations and prosecutions. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking.

PROTECTION

The government maintained efforts to identify and protect victims of sex and labor trafficking, but the availability of services for adult trafficking victims remained lacking. In 2017,

the government identified five trafficking victims (three child sex trafficking and two adult labor trafficking), compared with 11 victims in 2016. The government referred all victims to assistance and provided shelter, food, medical care, and arranged contact with an international organization. The government did not assist or facilitate the repatriation of any trafficking victims during the reporting period. An NGO identified at least three victims of child sex trafficking in 2017. The Child Development Unit of the Ministry of Gender Equality, Child Development, and Family Welfare continued to employ the standard referral procedure after identifying child trafficking victims. The government continued the operation of a shelter for girls exploited in sex trafficking, but did not report how many children it assisted during the reporting period. Child victims could leave the shelter to attend school and received medical and psychological assistance. The government continued to provide funding for several anti-trafficking NGOs, several NGO-run daycare centers for trafficking victims, and continued to fund a drop-in center, operated by a local NGO, for trafficking victims.

There were no standard identification and referral procedures for adult sex or labor trafficking victims, nor was there a clear government agency responsible for assisting adult sex trafficking victims. There was neither specialized shelter, nor systematic provision of medical, psychological, or financial assistance for adult trafficking victims; however, there were at least three NGO-run shelters female victims could utilize, but there were no shelters available for men. The Passport and Immigration Authorities (PIO) continued to conduct raids to identify foreign persons with expired visas and during the raids, PIO officers would also proactively screen migrant workers to identify potential labor trafficking victims. The government reported screening 194 migrant workers during the reporting period, and while last reporting period, the PIO identified eight labor trafficking victims, it did not report identifying any trafficking victims this reporting period. There were no reports the government arrested or punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. However, due to the lack of identification measures and gaps in understanding of human trafficking among some law enforcement officers, some adult victims of forced prostitution and forced labor may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking. For example, police officers generally did not screen women in prostitution for trafficking indicators. Contrastingly, immigration control at ports and the airport reportedly did screen for women who may be trafficking victims or in prostitution and turned back 287 persons after questioning them and checking an INTERPOL database. During the reporting period, immigration officials continued to regularly turn back single Malagasy women, traveling on their own, with less than 4,200 Mauritian rupees ($130) who attempted to enter the country on tourist visas on the grounds that they might be coming to Mauritius to engage in prostitution.

An NGO reported that not all migrant workers had freedom of movement beyond work hours and many employers provide housing facilities that were comparable to compounds with fences and security guards. The 2009 anti-trafficking law provided victims limited legal alternatives to removal to countries in which they would face hardship. The law allowed the Minister of Home Affairs to decide to allow a trafficking victim to remain in the country for up to 42 days before deportation, and could issue a temporary residence permit, but only if the victim agreed to cooperate with the investigation and prosecution of the trafficking case. The law allowed the Minister of Home Affairs to extend the trafficking victim's permit on humanitarian grounds. Despite these protection provisions, in previous reporting periods, the government continued to deport some trafficking victims. The government generally encouraged, but did not require, victim cooperation in investigations and prosecutions; however, without cooperation, there is no basis under the law for a foreign victim to remain in the country. The law allowed victims to file civil suits against their alleged traffickers for restitution; however, civil suits could be prohibitively expensive and lengthy. There were no reports trafficking victims filed any civil suits during the reporting period. An NGO reported that some companies in Mauritius actively deterred and prevented migrant workers from petitioning for their rights and some companies used informants to expose the leaders of potential protests and subsequently canceled their contracts and deported them. The government did not report efforts to address these abuses by employment agencies. The anti-trafficking law allowed the court to award the victim up to 500,000 Mauritian rupees ($14,970) in compensation from the convicted; however, the government did not award any compensation to victims during the reporting period. In an effort to encourage cooperation, victims and witnesses could request police protection by contacting their local police.

PREVENTION

The government increased prevention efforts. While the government did have an inter-ministerial coordination committee to address trafficking as a whole, the committee only met once during the reporting period and there was still confusion amongst agencies which department was responsible for addressing adult trafficking. The government conducted several awareness raising campaigns during the reporting period. The Child Development Unit, in partnership with an NGO, organized awareness campaigns on commercial sexual exploitation of children and trafficking in 96 schools and reached approximately1,650 children. The police's Family Protection Unit and the Minors Brigade continued extensive public awareness campaigns on child abuse and child rights at schools and community centers that included information on the dangers and consequences of facilitating child sex trafficking, which reached an estimated 31,540 people through more than 110 campaigns. The police conducted a variety of anti-trafficking campaigns for approximately 9,150 people. The police continued to hold the annual police security and safety exhibitions, which included presentations on anti-trafficking, reaching more than 182,320 people. The Ministry of Tourism and External Communication continued to distribute pamphlets warning tourism industry operators of the consequences of engaging in or facilitating child sex trafficking. The Crime Prevention Unit distributed anti-trafficking posters to police stations, high schools, and community centers. The government continued to run the drop-in center that promoted its services through bumper stickers, a toll-free number, and community outreach, and a social worker continued to promote the services in communities and schools. The government did not have an anti-trafficking national action plan. The government had three different hotline numbers available to report trafficking crimes, but did not report how many trafficking victims utilized this line.

The MOL conducted nearly 603 sessions to sensitize migrant workers of their rights, including producing relevant documents in the native language of the migrant worker. The government increased the number of labor inspectors from 85 to 95 in 2017. The MOL's Special Migrant Workers Unit—responsible for monitoring and protecting all migrant workers and conducting

routine inspections of their employment sites—had nine inspectors during the reporting period. The unit conducted 872 inspections, compared to 402 in the previous reporting period; however, this number of inspections continued to remain inadequate relative to the approximately 37,000 migrant workers employed in Mauritius. Despite the illegality of passport seizure, this practice remained widespread. In 2016, the government collaborated with the Bangladeshi High Commission in Mauritius to identify and refer cases of passport retention to the PIO; however, the government did not report continuing this practice in 2017.

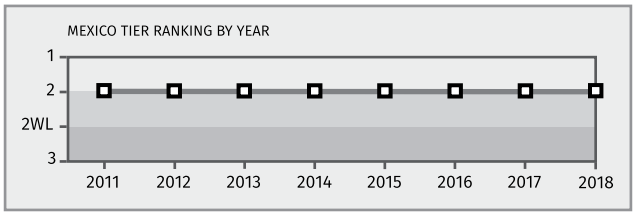
The government did not report suspending any labor recruitment licenses for trafficking-related crimes during the reporting period or holding any fraudulent recruitment companies criminally accountable. Although the MOL was required to approve all employment contracts before migrant laborers enter the country, some migrant laborers reportedly entered the country with contracts that were incomplete or had not been translated into languages the workers understood. The Ministry of Health was required to grant initial approval for migrant worker dormitory buildings; however, an NGO reported that subsequent periodic checks were not required, and thus many buildings have fallen into disrepair and failed to meet the minimum health and occupancy standards after the initial inspection. The government did not make any discernable efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Mauritius is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Girls from all areas of the country are induced or sold into sex trafficking, often by their peers, family members, or by businessmen offering other forms of employment. Taxi drivers allegedly transport child sex traffickers to their victims with whom they engage in commercial sex acts. Girls and boys whose mothers engage in prostitution reportedly are vulnerable to sex trafficking at a young age. Small numbers of Mauritian adults have been identified as labor trafficking victims in the UK, Belgium, and Canada. Malagasy women transit Mauritius en route to employment as domestic workers in the Middle East, where many are subjected to forced labor and sex trafficking. Mauritius's manufacturing and construction sectors employ approximately 37,000 foreign migrant workers from India, China, Sri Lanka, and Madagascar, with the vast majority from Bangladesh, some of whom are subjected to forced labor. Employers operating small- and medium-sized businesses employ migrant workers, mainly from Bangladesh, that have been recruited through private recruitment intermediaries, usually former migrant workers now operating as recruiting agents in their country of origin; labor trafficking cases are more common in small and medium enterprises, rather than in larger businesses that recruit directly without the use of intermediaries. Despite the illegality, employers routinely retain migrant workers' passports to prevent them from changing jobs.

MEXICO: TIER 2

The Government of Mexico does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mexico remained on Tier 2. The government demonstrated increasing efforts by prosecuting more traffickers than in the previous year; identifying and providing support to trafficking victims subjected to forced labor in Mexico and abroad; and launching a new national awareness-raising campaign. However, the government did not meet the minimum standards in several key areas. The government obtained fewer convictions than in the previous year; identified fewer victims than in the previous year; provided limited specialized services for trafficking victims, which were unavailable in most parts of the country; and maintained an inadequate number of shelters compared to the scale of the problem. The government inspected and prosecuted few complaints of forced labor in agriculture, in part due to a lack of resources. Corruption and complicity remained significant concerns, inhibiting law enforcement action.



RECOMMENDATIONS FOR MEXICO

Strengthen efforts to investigate and prosecute trafficking offenses and convict traffickers, especially for forced labor crimes; fully implement victim identification and referral protocols; develop and implement a national strategic action plan on victim services in consultation with international organizations and NGOs to include specialized trafficking victim services and shelters funded by the government; increase funding for law enforcement efforts and victim services; increase the capacity of state-level anti-trafficking committees and specialized anti-trafficking units to respond more effectively to trafficking cases, through increased funding and staff training; increase efforts to protect victims and witnesses testifying against traffickers, while ensuring they are not coerced into testifying or inappropriately misidentified as traffickers; train officials to seek restitution for victims as provided by law; strengthen the labor inspection system, particularly in the agricultural sector, and enforce laws to hold fraudulent foreign labor recruiters accountable; increase efforts to hold public officials complicit in trafficking accountable through effective prosecutions and stringent sentences; amend anti-trafficking laws at the federal and state levels to incorporate the definition of trafficking in international law; strengthen data collection efforts; and improve coordination mechanisms among federal, state, and local authorities.

PROSECUTION

The government maintained law enforcement efforts. The 2012 anti-trafficking law criminalized sex and labor trafficking, prescribing penalties ranging from five to 30 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime. The law defined trafficking broadly to include labor exploitation and illegal adoption without the purpose of exploitation. Federal officials have jurisdiction over all international trafficking cases, all cases that take place on federally administered territory involving

organized crime, and all cases involving allegations against government officials. States investigate other internal trafficking cases. Twenty-three of 31 states, compared to only 14 in 2016, had aligned their trafficking laws with the federal law, which could address inconsistencies among those states' laws and improve interstate investigations and prosecutions. The 2012 law obligated states to have a dedicated human trafficking prosecutor; 27 of 31 states had established specialized anti-trafficking prosecutors or units by the end of 2017.

Authorities initiated 127 federal and 298 state investigations in 2017, compared to 188 federal and 288 state investigations in 2016 and 250 federal and 415 state investigations for trafficking in 2015. Authorities initiated prosecutions against 609 individuals in federal and state cases in 2017, compared to 479 in 2016 and 578 in 2015. Authorities convicted 95 traffickers involved in 40 federal and state cases, compared to 228 traffickers involved in 127 federal and state cases in 2016 and 86 traffickers involved in 36 federal and state cases in 2015. The government reported sentences ranging from two years to 99 years imprisonment. The number of investigations, prosecutions, and convictions include cases that would not be defined as trafficking under international law. Mexican authorities maintained law enforcement cooperation with the United States, partnering on three joint law enforcement operations, which resulted in the arrest of at least 14 alleged traffickers. The government provided anti-trafficking training to the federal police, federal prosecutors, immigration officials, medical professionals, federal child and family protection workers, federal tourism officials, and state government officials.

In 2017, the federal government dedicated at least 6.7 million pesos ($340,030) for investigations and prosecutions; this figure included funding for the Special Prosecutor for Violence against Women, but not the Special Prosecutor for Organized Crime and overall represented a decrease in funding from the previous year. In June 2016, the government completed a lengthy transition to an accusatory criminal justice system at the federal and state level, which impacted the overall number of convictions. Investigations and prosecutions were sometimes delayed while authorities determined which prosecutors had jurisdiction or coordinated with officials in other parts of the country, which caused additional stress for victims. Some judges' and prosecutors' lack of understanding of trafficking led to traffickers being prosecuted for more minor offenses or to being acquitted when prosecuted for human trafficking, but at least one recent Mexican Supreme Court opinion revealed an understanding of Mexican trafficking law as related to international trafficking law. NGOs noted weaknesses in the government's application of the law, including misuse or misunderstanding of the law, an overly broad legal definition of trafficking, failure to perform official functions, and improper identification of and inadequate support for victims. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and complicity remained significant concerns.

PROTECTION

The government maintained protection efforts, but identified fewer victims for the second consecutive year. The government reported identifying 667 trafficking victims in 2017—429 for sex trafficking, 103 for forced labor or services, eight for forced begging, eight for forced criminality, four for other purposes, and 115 unspecified—compared to 740 victims in 2016 and 1,814 in 2015. Of the 667 trafficking victims identified, approximately 15 percent were male, 66 percent were female, and 19 percent did not have their gender specified. The federal government identified 140 victims, compared to 194 in 2016 and 876 in 2015. The state governments identified 527 victims, compared to 691 in 2016 and 938 in 2015. The Ministry of Foreign Relations identified and provided support to 196 Mexican forced labor victims abroad, including 180 in the United States and 16 in other countries, compared to 20 in 2016. Government officials used several procedures or protocols to proactively identify victims: immigration officials used the "Process for Detection, Identification, and Attention to Foreign Trafficking Victims;" federal officials used the "Protocol for the Use of Processes and Resources for the Rescue, Assistance, Attention and Protection of Trafficking Victims;" and Mexican consular officials abroad operated special windows in consulates in the U.S. to identify situations of vulnerability among migrant children, women, and indigenous persons. The government collaborated with an international organization, which had developed specific state-level protocols in 17 of 31 states for victim identification and assistance, to train government officials. NGOs and the media challenged the government to continue to improve its ability to accurately identify trafficking victims among vulnerable populations, such as migrant workers and individuals in prostitution. Many victims reported they were afraid to identify themselves as trafficking victims or, if identified, to testify against their traffickers in court under the accusatorial system; and few filed complaints or assisted in investigations and prosecutions due to their fear of retribution from traffickers, the lack of specialized services, or distrust of authorities.

While victim services vary, in general, federal and state agencies offered victims emergency services, such as medical care, food, and housing in temporary or transitional homes; and long-term victim services, such as medical, psychological, and legal services. The Special Prosecutor's Office for Violence Against Women and Trafficking in Persons (FEVIMTRA) continued to operate a high-security shelter in Mexico City and provided shelter to 52 trafficking victims. Women were allowed to have their children with them at the shelter. Women were not allowed to leave the shelter alone; NGOs expressed concern that this arrangement re-traumatized some victims, but officials maintained it was critical for ensuring their safety. An NGO in the State of Puebla continued to operate the country's only public-private shelter. The State of Mexico opened three trafficking-specific shelters in 2016; and the City of Mexico opened a trafficking-specific shelter, which provided medical, legal, psychological, and social services to victims during pending cases. In addition to these shelters, there are two publicly funded Women Justice Centers in the states of Hidalgo and Guanajuato that work jointly with the Specialized State District Attorneys for Trafficking in Persons to provide a temporary shelter for trafficking victims. NGOs reported some shelters relied on the prosecutor's office to identify victims and received funding based on the number of victims housed, which some observers suggested could create an incentive to hold victims pending the conclusion of a case and potentially compromise the shelter's independence and sustainability of operations.

In 2017, the Executive Committee for Victim Assistance (CEAV) signed an agreement for the creation of an emergency fund of approximately 3 million pesos ($152,250) to support trafficking victims mandated by the 2012 anti-trafficking law, which began to provide funding in April 2017. The National Institute of Social Development (INDESOL) provided 598,500 pesos ($30,370) to two NGOs to provide victim services to 76 trafficking victims. The Attorney General's Office (PGR) provided victim services to 98 trafficking victims who were participating

in the legal process against their exploiters. The National Children and Family Services System (DIF) provided assistance to 78 victims. The National Security System (CNS) provided assistance to 126 victims. The National Institute of Migration (INM) provided assistance to 31 potential foreign trafficking victims and issued temporary immigration relief in the form of humanitarian visas to 25 victims in 2017, compared to four victims in 2016. Humanitarian visas enabled foreign trafficking victims to remain in the country up to 60 working days or 90 calendar days, and may be extended. Some government officials and NGOs expressed concern humanitarian visas were not granted as often as they should be due to a failure to identify eligible foreign trafficking victims and the waiting time for processing requests for immigration relief. NGOs, many with foreign donor or private funding, also provided specialized shelters and assistance. Despite these efforts, services for male, adolescent, and forced labor victims and victims in rural areas remained inadequate. The inter-secretarial anti-trafficking commission provided funding to an international organization to develop a national information system to track the number of victims identified, referred, and assisted across the country; the government completed the first phase of installation in 2017 and began incorporating additional data with the goal of full implementation in 2018.

The law provided victims with protection from punishment for unlawful acts committed as a direct result of being subjected to trafficking, but NGOs reported that in practice some officials unlawfully detained victims. Some officials transferred victims to INM for detention and deportation due to their immigration status and lack of formal identification as trafficking victims. Individuals in prostitution in Mexico City alleged officials detained and forced them to sign declarations accusing detained individuals of trafficking, which raised serious concerns about law enforcement tactics to secure evidence. NGOs also reported officials often re-traumatized trafficking victims due to lack of sensitivity. The national anti-trafficking law provided for restitution to be paid from a victims' fund, but the government did not report whether the courts awarded any trafficking victims restitution.

PREVENTION

The government increased prevention efforts. The inter-secretarial anti-trafficking commission coordinated with more than 30 government agencies and institutes; established cooperation agreements with state and local governments and the National Human Rights Commission, which coordinated regional committees to address human rights issues, including trafficking in persons; and monitored the implementation of the national anti-trafficking action plan for 2014-2018 and published a report of its anti-trafficking efforts for 2017. Twenty-eight out of 31 states had state-level anti-trafficking committees. The national anti-trafficking commission hosted a national meeting of the technical secretaries with representation from 29 states. The government provided anti-trafficking training and awareness-raising programs nationwide for government officials, including health professionals and the general public reaching more than 11 percent of the population. With U.S. government support, the federal government launched a national awareness-raising campaign called Blue Heart Campaign 2.0 in July 2017, including targeted messages for repatriated migrants, indigenous communities, disabled persons, women, children, and youth. The government operated several hotlines to report emergencies, crime in general, for victims of crime, for crimes against women and trafficking crimes, and promoted the reporting of trafficking tips to an NGO-run national anti-trafficking hotline. The NGO-run hotline received 981 calls in 2017, resulting in the identification of 103 calls with trafficking indicators and 22 investigations. The National Human Rights Commission (CNDH), with the support of the government, continued to promote a national awareness campaign in airports and bus terminals, and conducted anti-trafficking training and awareness sessions for a range of audiences. CNDH also collaborated with the State of Yucatan to raise awareness of trafficking in rural and indigenous communities, publishing materials in 21 indigenous languages.

The Secretary of Labor and Social Welfare used an inspection protocol in federal job centers with agricultural activities, which included a requirement to identify victims of forced labor and to report such crimes to law enforcement officials. In 2017, inspectors conducted 132 inspections, identifying 54 children working in agriculture in violation of the law, and issued 5,667 protection measures, although the government did not specify how many were related to forced labor or trafficking. The government conducted outreach to foreign migrant workers to inform them of their rights and responsibilities and inspections of worksites to detect irregular activity, including underage workers who may be vulnerable to trafficking. According to NGOs, authorities conducted very few inspections in major farming states, investigated few complaints, and imposed only modest fines, although a few high profile cases resulted in criminal prosecutions; and inspectors lacked resources and faced technical difficulties in carrying out inspections. While Mexican law criminalized fraudulent labor recruiting, authorities did not report efforts to regulate or hold accountable fraudulent labor recruiters.

The Secretary of Tourism implemented a program to prevent trafficking and sex tourism, which included a "code of conduct" for travel agencies, hotels, restaurants, tourist guides, training centers, and transportation providers; training for students pursuing careers in this sector; and the distribution of awareness materials to prevent trafficking and reduce the demand for commercial sex acts from children in tourism destinations. Mexico participated in several international fora on trafficking in persons, including the fourth annual trilateral trafficking in persons working group meeting with Canada and the United States and shared best practices in the area of monitoring financial transactions potentially linked to human trafficking. CNS hosted the first summit for law enforcement from countries in the Americas to exchange best practices, offer training, and promote international cooperation on trafficking resulting in the signing of a declaration by representatives of 33 police forces. The government had laws to facilitate the investigation, prosecution, or conviction of child sex tourists, but did not report any such cases. Some NGOs alleged corrupt local officials allowed child sex tourism to occur in isolated incidents, but the government did not take action in these cases. The government provided anti-trafficking training for its diplomatic personnel. The government collaborated with an international organization to develop a consular protocol for the protection of Mexican national trafficking victims, completing a field study of nine Mexican consulates in 2017.

TRAFFICKING PROFILE

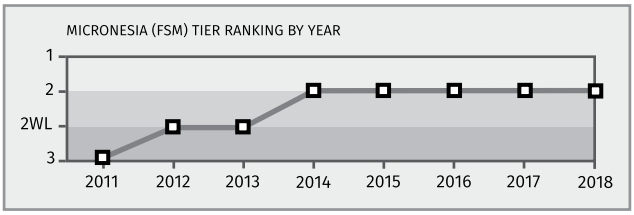
As reported over the past five years, Mexico is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Groups considered most vulnerable to human trafficking in Mexico include women, children, indigenous persons, persons with mental and physical disabilities, migrants, and LGBTI individuals. Mexican women

and children, and to a lesser extent men and transgender individuals, are exploited in sex trafficking in Mexico and the United States. Mexican men, women, and children are exploited in forced labor in agriculture, domestic servitude, child care, manufacturing, mining, food processing, construction, tourism, forced begging, and street vending in Mexico and the United States. Day laborers and their children are particularly vulnerable to and are the primary victims of forced and child labor in Mexico's agricultural sector; migrating from the poorest states to the agricultural regions to harvest vegetables, coffee, sugar, and tobacco; receiving little or no pay, health care, or time off, and in the case of children, being denied education. NGOs report some Mexicans are held in debt bondage in agriculture, and are indebted to recruiters or to the company itself. International organizations and NGOs estimated more than 375,000 people exploited in forced labor in Mexico, placing the country at the top of the list for countries in the Americas; however, observers surveyed government and NGO statistics finding fewer than 1,500 forced labor victims identified from 2013 to 2017. Transgender Mexicans in commercial sex are vulnerable to sex trafficking. Observers reported potential trafficking cases in substance abuse rehabilitation centers, women's shelters, and government institutions for people with disabilities including by organized criminal groups and facility employees. The vast majority of foreign victims of forced labor and sex trafficking in Mexico are from Central and South America; some of these victims are exploited along Mexico's southern border. NGOs and the media report victims from the Caribbean, South America, Eastern Europe, Asia, and Africa have also been identified in Mexico, some en route to the United States. Observers reported an increase in Venezuelan migrants vulnerable to trafficking over the past two years.

The government, the UN, international organizations, NGOs, and the media reported increased participation by organized criminal groups in trafficking and the creation of complex alliances with federal, state, and local government officials in at least 17 of 32 states to commit trafficking and related crimes. Organized criminal groups profit from sex trafficking and force Mexican and foreign men, women, and children to engage in illicit activities, including as assassins, lookouts, and in the production, transportation, and sale of drugs. Observers noted links between women's disappearances and murders and trafficking in persons by organized criminal groups. The UN Special Rapporteur on Indigenous Rights expressed concern over the recruitment and use of torture and murder by organized criminal groups of indigenous children and youth to exploit them in forced criminality. Observers also expressed concern over recruitment of recently deported Mexican nationals by organized criminal groups for the purpose of forced criminality. International observers denounced the murder in November 2017 of a Veracruz state attorney specializing in violence against women and human trafficking cases noting the extreme levels of violence that permeate the country and the risks taken by public officials to defend vulnerable individuals. Trafficking-related corruption and complicity among some public officials, including law enforcement and immigration officials continues to raise concern. NGOs reported child sex tourism remains a problem and continues to expand, especially in tourist areas and in northern border cities. Many child sex tourists are from the United States, Canada, and Western Europe; Mexicans also purchase sex from children who have been subjected to sex trafficking.

MICRONESIA, FEDERATED STATES OF: TIER 2

The Government of the Federated States of Micronesia (FSM) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore FSM remained on Tier 2. The government demonstrated increasing efforts by convicting two traffickers, increasing anti-trafficking training among judicial officials and students, and establishing and staffing a national hotline. Despite these efforts, the government did not meet the minimum standards in several key areas. Courts issued weak sentences to convicted traffickers and authorities did not follow an established procedure to identify victims among vulnerable populations or refer them to protective services, which remained undeveloped and under-resourced.



RECOMMENDATIONS FOR THE FEDERATED STATES OF MICRONESIA

Increase efforts to investigate, prosecute, and convict traffickers, and sentence them to penalties proportionate to the seriousness of the crime; amend anti-trafficking legislation to remove sentencing provisions that allow fines in lieu of imprisonment; develop and implement procedures for the proactive identification of trafficking victims among vulnerable populations; develop and implement a victim referral system and establish and allocate funding for specialized protective services for trafficking victims; strengthen efforts to implement the National Action Plan (NAP), including through establishment of state-level anti-trafficking task forces in all four states, staffing a governmental anti-trafficking secretariat; and strengthen efforts to conduct anti-trafficking awareness campaigns targeted to government and law enforcement officials, traditional leaders, health care professionals, and the public.

PROSECUTION

The government maintained law enforcement efforts. The national anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 15 years imprisonment, a fine of $5,000-$25,000, or both for offenses involving adult victims and up to 30 years imprisonment, a fine of between $5,000-$50,000, or both for offenses involving child victims. These penalties were sufficiently stringent, but by allowing for a fine in lieu of imprisonment for sex trafficking crimes, these penalties were not commensurate with penalties for other serious crimes, such as rape. Each of Micronesia's four states had its own laws which criminalized trafficking offenses; however, Pohnpei and Chuuk States did not explicitly prohibit adult sex trafficking. Cases prosecuted at the state level may be heard subsequently at the national level, under national anti-trafficking law, depending on which court hears a case.

In 2017, the government reported investigating eight alleged

trafficking cases, the same number of cases investigated in 2016. Of these investigations, one case led to a prosecution with two convictions, compared to one conviction in 2017. The government reported another alleged trafficking case was awaiting a trial date and a third case was still under investigation. They did not report the status of the other five alleged trafficking cases or the outcome of two cases reported as pending last year. In the case with two convictions, one offender was ordered to pay a $5,000 fine and sentenced to be in prison from Saturday night until Monday morning and confined to his workplace or home on the weekdays for a 15 month period. The other offender, the parent of the sexually trafficked child, received probation for 15 months with no fine.

In partnership with an international organization, the government conducted anti-trafficking training for a total of 735 participants: 75 judicial officials, 110 college students, and 550 high school students and teachers at venues provided by local governments. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained inadequate efforts to protect victims. Law enforcement, health care, and labor inspection entities did not implement standard procedures required in the NAP to proactively identify trafficking victims. The government reported protecting three victims involved in prosecution cases, two of whom received limited services during the reporting period. The government reported establishing and staffing a national hotline but did not receive any calls during the reporting period. The government had no formal referral system for trafficking victims but continued to work with state governments on the development of a directory listing churches, NGOs, and local government bodies which may be able to provide limited additional protective services to trafficking victims. However, the government did not report if any trafficking victims benefited from any of these services. Authorities did not provide legal alternatives to the removal of foreign trafficking victims to countries where they may face hardship or retribution, nor did it provide incentives for victims to participate in trials. The government did not report any victim involvement in law enforcement or requests for victim restitution during the reporting period. Although there were no reports of victims punished for crimes committed as a direct result of having been subjected to trafficking, some potential victims may have been detained due to a lack of formal victim identification procedures.

PREVENTION

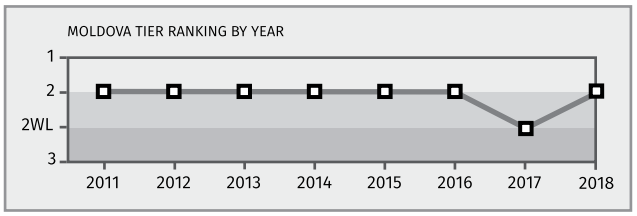
The government increased efforts to prevent trafficking. The national government's anti-trafficking office and the supreme court reported collaboration with state task forces and an international organization on developing awareness campaigns targeting law enforcement, immigration and customs officers, political leaders, churches, women's and youth groups, and students which reached over 500 participants. The government reported the creation and dissemination of posters to 100 participants in summit and council meetings. Three of the four FSM states had state action plans linked to the NAP, which guided state level anti-trafficking task forces operating under state action plans. The government did not report efforts to reduce the demand for commercial sex acts or forced labor. The government did not report any efforts to monitor foreign labor recruitment or preparation of Micronesian women and girls leaving to work in other countries. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, the Federated States of Micronesia is a source, transit and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The groups most vulnerable to trafficking in FSM include foreign migrant workers, especially from the Philippines, and Micronesian women in prostitution. Women and girls are allegedly exploited in sex trafficking by the crewmembers of docked Asian fishing vessels, on vessels in FSM territorial waters, or with foreign construction workers. FSM women recruited with promises of well-paying jobs in the United States and its territories are subsequently forced into prostitution or domestic labor upon arrival. Local authorities claim many sex trafficking cases are unreported due to social stigma and victims' fear of possible repercussions in their home communities. Foreign migrants from Southeast Asian countries report working in conditions indicative of human trafficking on Asian fishing vessels in FSM or its territorial waters.

MOLDOVA: TIER 2

The Government of Moldova does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Moldova was upgraded to Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more suspected traffickers, including complicit officials, and increasing budgets for victim protection. However, the government did not meet the minimum standards in several key areas. Identifying victims and conferring official victim status continued to be a challenge. Corruption, particularly in law enforcement and the judiciary, impeded prosecutions and influenced the outcomes of cases, including cases against complicit officials. Victims continued to suffer from intimidation from traffickers, and authorities provided uneven levels of protection during court proceedings.



RECOMMENDATIONS FOR MOLDOVA

Vigorously investigate, prosecute, and convict traffickers and government officials complicit in human trafficking; implement measures to address corruption in the judicial sector and law enforcement community, including taking steps to shield trafficking investigators and prosecutors from external influence and internal corruption; exempt all trafficking victims from the requirement of in-person confrontations with their accused traffickers before an investigation can begin; improve protection of victims and witnesses during court proceedings, including prosecutions for witness tampering and intimidation; train police, judges, and prosecutors on a victim-centered approach to investigations and prosecutions; increase access to shelters and

rehabilitation facilities for male victims of trafficking; improve cooperation with non-governmental care providers, including coordination on policy development and assisting victims cooperating with investigations; and continue to fund and maintain data for the hotline on child abuse and exploitation.

PROSECUTION

The government increased law enforcement efforts. Articles 165 and 206 of the criminal code criminalized all forms of trafficking. The law prescribed penalties of five to 12 years imprisonment for adult trafficking; and eight to 12 years imprisonment for child trafficking; and up to 20 years imprisonment in cases with aggravating circumstances. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Article 168 of the criminal code also criminalized forced labor and imposed penalties of up to three years imprisonment. Corruption in the judicial system remained an acute impediment to bringing traffickers to justice; however, courts demonstrated increasing efforts to prosecute officials complicit in trafficking. Courts frequently reversed convictions on appeal, sometimes without explanation or on weak grounds, although comprehensive statistics on the rate of appeal were not available. The government prosecuted several officials for complicity in trafficking. The former head of a human rights agency, who forced children to beg in Russia, was brought to trial and his case remained ongoing. The Court of Appeal upheld the conviction of the former head of the Biathlon Federation of Moldova for child trafficking; he was sentenced to three years in prison. Several government officials were convicted on charges of facilitating prostitution. In January 2018, the former Deputy Director of Moldova's human trafficking-specialized law enforcement body was found guilty of trafficking in influence and sentenced to four years in prison. Several government officials were investigated in 2017 for complicity in trafficking. Two police officers were indicted for sex trafficking. A case against a village mayor for labor trafficking remained ongoing. The director of an orphanage was indicted for the sexual and labor exploitation of several children; his trial was ongoing. Several Moldovan diplomats and the head of the foreign ministry's consular affairs department were investigated, arrested, or indicted for extorting or accepting bribes to facilitate illegal migration.

Authorities conducted 185 trafficking investigations in 2017, compared to 151 in 2016. The government sent 85 cases to court in 2017, compared to 33 in 2016, and convicted 58 traffickers, compared to 56 in 2016. Of the 58 convicted traffickers, 52 received prison terms, with one suspended sentence. The average jail sentence was eight to 13 years.

The Center for Combating Trafficking in Persons (CCTIP), Moldova's specialized law enforcement body, filled its leadership vacancies and increased staffing, which led to improved working relationships with civil society and international partners, and an initial shift back to investigating complex cases of international sex and labor trafficking. Investigations into large-scale cases, however, remained inadequate. Observers reported prosecution and investigation teams struggled to conduct complex investigations, such as those involving transnational criminal gangs or complex financial transactions. Authorities did not prosecute any large trafficking groups in 2017. Observers reported CCTIP focused on simpler domestic sex trafficking cases rather than complex international cases, potentially to boost the center's statistics. This focus on statistics moved CCTIP away from its traditional strength of resource intensive victim-centered investigations. However, CCTIP continued to lack sufficient resources, particularly financial resources and experienced investigative staff. Previously, the restructuring of the Prosecutor General's Office (PGO) eliminated the use of specialized prosecutors, disbanded the specialized anti-trafficking prosecutorial unit, ended the task force approach to investigations, and reduced institutional knowledge regarding the use of victim-centered approaches to investigations and prosecutions. The PGO subsequently created a new Trafficking in Persons and Cybercrimes unit in August 2016 with five prosecutors who were entirely focused on the investigation stage of the criminal justice process. As observers previously noted, the new unit was not dedicated only to trafficking cases, prosecutors have not received comprehensive training, and the unit remains vulnerable to corruption and political influence. In December 2017, the Chisinau Prosecutor's Office established an Anti-Trafficking Bureau and concurrently revised internal processes for the assignment of cases, which ensured that only prosecutors who have undergone specialized training will be assigned trafficking cases. Every territorial prosecutor's office outside the capital was assigned a designated prosecutor to cover these cases. A separate team of six prosecutors within the PGO served as the focal point for international trafficking treaties and monitored the newly established Anti-Trafficking Bureau; it also tracked trends and data.

Prosecutors did not develop investigative techniques that corroborate testimony or consistently employ a victim-centered approach to cases. A February 2016 Constitutional Court decision limited the time suspects may be detained to 12 months. Because final verdicts in trafficking cases can take years, this ruling allowed suspected traffickers to be released before trials conclude, enabling them to flee the country or retaliate against witnesses. Observers reported traffickers tried to manipulate, blackmail, or bribe victims to change their testimony. In 2017, only three victims and their family members benefited from witness protection programs, despite many more in need of such protection. The National Investigative Inspectorate (INI) maintained a policy requiring CCTIP to regularly inform the INI of the suspects in CCTIP's investigations, to include subjects of search warrants before searches are executed, which increased the risk of corrupt officers warning suspects ahead of raids or intervening in ongoing investigations. During the reporting period, law enforcement initiated eight investigations of suspected witness intimidation, six of which resulted in criminal cases.

Moldovan authorities cooperated with foreign counterparts on multiple trafficking investigations. Mostly using donor funding, the government and international organizations trained police, border guards, prosecutors, and judges in 2017.

PROTECTION

The government maintained victim protection efforts. The government identified 249 trafficking victims in 2017, compared with 232 in 2016. Of these identified victims, 48 were children, an increase from 35 in 2016. Some law enforcement officials may have intentionally avoided taking action on victim identification and investigation of trafficking crimes. Border police did not consistently screen undocumented migrants for trafficking before placing them in detention facilities. The government increased funding for victim protection, budgeting approximately 12.1 million Moldovan lei ($709,340) to repatriation assistance and seven shelters for victims of crime and family violence, with increased funding for some shelters and programs offset by decreases to others; this is compared with 8.6 million lei

($504,160) in 2016. The government did not disburse all of the budgeted funds, with shelters and protection programs generally receiving 89 percent of the allocated fund amounts. The government often relied on NGOs and international organizations to supplement government employee salaries and fund victim services; government contributions were often insufficient to cover basic living expenses for both employees and victims.

The government assisted 117 victims with repatriation assistance or shelter care, compared with 124 in 2016. Teams of local officials and NGOs in all regions of Moldova coordinated victim identification and assistance; specialists noted the improvement in the community-based approach police had taken, as law enforcement bodies were responsible for 61 shelter referrals. Through the Chisinau and regional centers, victims could receive shelter and medical, legal, and psychological assistance, regardless of their cooperation with law enforcement. Psychological assistance, legal aid, and long-term reintegration support were insufficient, however, and victims were unable to obtain the free medical insurance afforded under Moldovan law. Victims often struggled to find pro bono legal representation and relied on legal assistance provided by NGOs and international organizations. The weak capacity of social workers in outlying regions led to inefficient and poor quality services offered to victims. These deficiencies contributed to the continued risk of re-victimization. Authorities placed child victims with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. Officials interviewed victims 14 years old or younger in specialized hearing rooms with recording equipment with the assistance of a psychologist. Male victims were entitled to all forms of assistance, but lacked access to shelters. Care providers reported bureaucratic impediments to moving victims with severe mental health needs to state-run psychiatric institutions.

The government did not adequately protect victims participating in investigations and prosecutions. Victims were seldom fully informed of their rights. At times, police had reportedly done so intentionally attempting to secure victims' cooperation. Shelters had little security and corruption undermined police protection. Prosecutors did not maintain regular contact with victims or adequately prepare them for trial. The law required that adult trafficking victims confront their alleged traffickers in person at a police station to begin an investigation, and in some cases on multiple occasions over the course of an investigation and trial; this requirement likely deterred victims from reporting crimes and could re-traumatize victims or otherwise put them at risk. Judges had discretion to allow victims to provide testimony without the alleged trafficker being physically present in the room. Judges disregarded laws and regulations designed to protect victims during trial proceedings thereby violating victims' rights and allowing traffickers to intimidate some victims in the courtroom so that the victims felt pressured to change their testimony.

The law allowed for victims to file a civil suit for restitution as part of the criminal proceedings. In 2017, victims filed 59 civil suits, resulting in restitution claims of more than 3.5 million lei (approximately $205,180). On January 1, 2018, Law 137 entered into effect, allowing victims to submit compensation claims to the Ministry of Justice in cases when it could not be obtained from the perpetrator. Law Enforcement recovered criminal assets from traffickers totaling 3.4 million lei ($199,320), including cash, vehicles, and real estate. The criminal code exempts trafficking victims from criminal liability for committing offenses related to their exploitation. However, when authorities classified cases under related statutes, such as the article criminalizing forced labor, victims were no longer exempt from criminal liability. The government punished trafficking victims for unlawful acts committed as a direct result of being subject to trafficking. Similarly, when authorities reclassified sex trafficking cases to pimping cases, victims were no longer exempted from punishment and could be charged with prostitution offenses. Victims could be fined or imprisoned for making false statements if they changed their testimony, whether deliberately due to bribes or intimidation, or unintentionally due to the traumatization experienced. Observers previously reported some cases of authorities charging child sex trafficking victims with prostitution or other offenses; there were no such cases during the reporting period.

PREVENTION

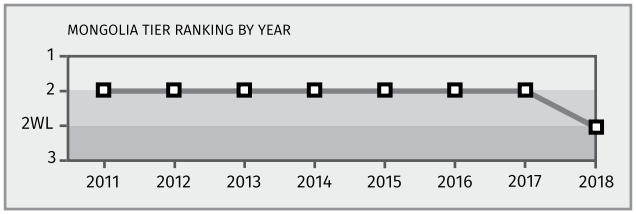
The government increased prevention efforts. The national anti-trafficking committee (NCCTIP) and its secretariat coordinated government efforts. NCCTIP has three staff members, which observers stated was insufficient to manage the workload. During the reporting period, NCCTIP, in coordination with an inter-institutional working group that included national and international experts, central public authorities, NGOs, and the OSCE and IOM, drafted a national strategy for 2018-2023 and an associated action plan for 2018-2020. The government approved the plan in March 2018. NCCTIP implemented programs to raise awareness among students and Moldovan citizens abroad, as well as the general public through a website and a national anti-trafficking week. The government provided partial funding to an NGO to manage a hotline on child abuse and exploitation. The government-funded two separate trafficking hotlines, one for use in Moldova and one for calls from abroad; the hotlines are both operated by an NGO. The government provided training for its diplomatic personnel on identifying trafficking victims. The government did not make significant efforts to reduce the demand for commercial sex acts or forced labor, but did initiate two criminal prosecutions against two foreign citizens for sexual exploitation of children in Moldova.

TRAFFICKING PROFILE

As reported over the past five years, Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor, including forced begging. Moldovan victims are subjected to sex and labor trafficking within Moldova and in Russia, Ukraine, and other countries in Europe, the Middle East, Africa, and East Asia. Most victims are from rural areas and have low levels of education. Women and children are subjected to sex trafficking in Moldova in brothels, saunas, and massage parlors. Increasingly, girls aged 13 to 15 are victims of sex trafficking. Child sex tourism remains a concern, including from the EU, Turkey, Australia, Israel, Thailand, and the United States. Children, living on the street or in orphanages, remain vulnerable to exploitation. The breakaway region of Transnistria remains a source for victims of both sex and labor trafficking. The undocumented, or stateless, population within Moldova remains vulnerable to exploitation, primarily in the agricultural sector. Official complicity in trafficking continues to be a significant problem in Moldova.

MONGOLIA: TIER 2 WATCH LIST

The Government of Mongolia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by increasing the number of trafficking investigations initiated during the year; using a fund dedicated to the assistance of Mongolian victims overseas to repatriate more victims than in previous years; and adopting a new National Anti-Trafficking Program and work plan aimed at improving prevention and protection efforts. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Citing unfamiliarity with the new criminal code, prosecutors dismissed up to 26 in-process trafficking cases upon passage of the new criminal code, rather than reassessing each case to determine how best to continue prosecution. Authorities decreased the number of trafficking prosecutions and did not secure any convictions. The government did not provide funding to trafficking-specific training sessions for key stakeholders and, for the third consecutive year, did not provide funding to NGOs, which continued to provide the majority of victim protection services. New criminal code provisions barred victims from seeking shelter or care until prosecutors initiated cases against their alleged traffickers, further restricting access to Mongolia's already limited protection services. Authorities used the new criminal code to detain and charge trafficking victims, including underage girls, as part of raids on illicit establishments. Therefore Mongolia was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR MONGOLIA

Increase efforts to investigate and prosecute all trafficking offenses using Articles 12.3 and 13.1 of the criminal code, and impose adequate sentences on convicted traffickers; amend portions of the legal framework that bar victims from accessing protection services prior to initiation of formal criminal proceedings against their alleged traffickers; cease penalizing trafficking victims for offenses committed as a result of having been subjected to trafficking; continue to develop and implement formal procedures to guide government officials, including police, immigration, and labor authorities, in victim identification and referral to protective services, especially among vulnerable populations; allocate funding to support both government and NGO-run shelters and other forms of victim assistance and protection, including for male victims; strengthen efforts to monitor the working conditions of foreign laborers employed in Mongolia and screen them for labor exploitation indicators, including by increasing funding and resources for labor inspectors; and engage in efforts to reduce demand for commercial sex acts, particularly throughout major transportation hubs and in border and mining areas.

PROSECUTION

The government decreased law enforcement efforts. In July 2017, the government enacted a new criminal code, articles 12.3 and 13.1 of which criminalized labor and sex trafficking. Article 13.1 prescribed penalties of two to eight years imprisonment for adult trafficking and five to 12 years imprisonment for child trafficking; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. Prior to introduction of the new criminal code, authorities prosecuted trafficking cases under article 124, which criminalized inducing others into and organizing prostitution; this article carried lesser penalties and did not require the element of force, fraud, or coercion.

In 2017, authorities investigated 12 potential trafficking cases (three in 2016) and prosecuted seven defendants (14 in 2016) under article 13.1. The government initiated prosecutions against 31 individuals under article 124, but it was unclear to what extent these cases featured genuine trafficking indicators. Courts did not convict any alleged trafficking offenders under either law (nine in 2016). An additional 12 defendants faced charges under article 12.3, but case details were unavailable. Although the new criminal code corrected the insufficiencies of article 124, prosecutors cited lack of training on its implementation in their decision to fully dismiss as many as 26 pending trafficking cases under article 124, rather than conducting assessments of each case to determine whether the relevant allegations fell under new provisions of the criminal code. However, the prosecutor's office reportedly began a review of the dismissed cases under the new criminal code at the end of the reporting period. The government did not disaggregate ongoing prosecutions initiated in prior years from new cases in 2017.

Due to the misconception among many government officials that only females could be sex trafficking victims, authorities rarely used articles 13.1, 12.3, 113, or 124 to prosecute cases in which males were the victims, and instead used provisions with less stringent penalties. Unlike in prior years, the government did not fund training courses for law enforcement officers or social workers on trafficking, but it did provide certain forms of in-kind support, including instructors and classroom spaces for training sessions. The National Police Agency (NPA) re-established an anti-trafficking unit, although it was unknown if the unit initiated any trafficking investigations. Authorities did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government decreased efforts to protect victims. NGOs continued to provide the vast majority of protection services for victims without support from the government. Two shelters run by the non-governmental Mongolian Gender Equality Center (GEC) were the main victim service providers in the country, but only one could accommodate male victims, and neither was accessible to persons with disabilities. For the third consecutive year, the government did not report funding GEC facilities; observers claimed this constrained them to a reduced operating budget, leading to a dip in service provision. Article 8.1 of the revised criminal procedural code included language that resulted in trafficking victims being unable to access protective services until prosecutors had initiated cases against their alleged traffickers, further obstructing access to protective services. In 2017, the GEC assisted one victim of labor exploitation and 28 victims of sex trafficking (a total of 44 in 2016). All of these victims were female, and approximately one third were minors. It was unclear how many of these cases were referred by police. Of the 29 victims identified by the

GEC, 20 opted to report their abuses to the police, but it was unclear if this triggered any investigations or prosecutions.

NPA investigators reported using a trafficking risk assessment checklist containing 11 questions to proactively identify victims among vulnerable populations; however, in implementation, NGOs indicated victim identification and referrals were not systematic, and instead depended largely on the awareness and initiative of individual officers. Metropolitan Police Agency (MPA) and Criminal Police Department (CPD) officers reportedly identified 24 underage girls in prostitution during a series of raids on massage parlors and hotels. However, these authorities continued to fine, arrest, detain, and charge trafficking victims—including children—for crimes and administrative offenses committed as a result of having been subjected to trafficking during the reporting period. In January 2018, police reportedly arrested and charged four underage girls in prostitution for allegedly violating the new Law on Petty Offenses; the case remained pending at the end of the reporting period.

Mongolia adopted a National Anti-Trafficking Program (2017-2021) and work plan aimed at improving prevention and protection efforts, but the government was reportedly unable to dedicate sufficient resources toward implementation of the plan. The NPA's Victim and Witness Protection Department reported it did not assist any trafficking victims during the 2017 calendar year. Article 15 of the anti-trafficking law stipulated that victims were entitled to financial compensation for "damages to property, dignity, and psychology" perpetrated by their traffickers, but officials and non-government observers agreed inconsistencies between the criminal code and the civil code made this provision impossible to fully implement. The Ministry of Foreign Affairs maintained a fund to assist Mongolian nationals subjected to trafficking abroad. In 2017, authorities used this fund to repatriate seven Mongolian individuals (four in 2016) who were subjected to trafficking in China, but it was unclear if these victims were able to access protection services upon their return. Neither the government nor the GEC identified any foreign victims during the reporting period. Mongolian law did not provide legal alternatives to the removal of foreign victims to countries in which they could face retribution or hardship. In compliance with a UN Security Council resolution, the government reportedly repatriated the majority of North Korean labor migrants originally in Mongolia under the auspices of bilateral work agreements; they were not screened for trafficking indicators.

PREVENTION

The government maintained efforts to prevent trafficking. In May 2017, the government adopted a new National Anti-Trafficking Program (2017-2021) and corresponding work plan aimed at improving prevention and protection under the management of a National Sub-Council established in June 2017 to provide technical guidance on trafficking prevention and coordinate interagency efforts to implement relevant legislation. However, some observers questioned the level to which the National Sub-Council implemented the program and the government did not provide funding or dedicate other resources for its operations. Authorities continued to work with an international organization to establish an integrated statistical database, and the Ministry of Justice and Home Affairs assisted an international organization to conclude a comprehensive study on the implementation of Mongolia's anti-trafficking legislation. Officials continued to disseminate a daily trafficking-themed public service announcement (PSA) on social media and television, in addition to distributing PSAs to police stations in all provinces.

The General Authority for Specialized Investigation (GASI), which sat on the National Sub-Council, tracked the number of foreign laborers in Mongolia and the number of Mongolian laborers abroad. GASI also had the authority to inspect the labor contracts of companies recruiting Mongolians for work abroad and to conduct inspections of working conditions in Mongolian formal sector establishments. However, officials and NGOs noted funding and resources for the inspectors were too low to provide comprehensive oversight, and their limited scope within the formal sector left some vulnerabilities unaddressed. The government did not take measures to reduce the demand for forced labor or commercial sex acts. In 2017, the government provided anti-trafficking training for all peacekeepers in advance of their deployment abroad and trained its diplomatic personnel on anti-trafficking laws prior to their assignment abroad.

TRAFFICKING PROFILE

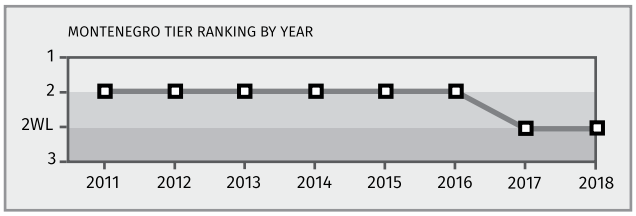
As reported over the last five years, Mongolia is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Mongolian men, women, and children are subjected to forced labor in Turkey, Kazakhstan, Norway, and Sweden and to sex trafficking in South Korea, Japan, China, Hong Kong, Macau, Malaysia, Germany, Sweden, Belgium, Turkey, and the United States. Women and girls are subjected to sex trafficking in Mongolian massage parlors, hotels, bars, and karaoke clubs. Mongolian girls employed as contortionists—often under contractual agreements signed by their parents—are subjected to forced labor primarily in Mongolia and Turkey, and to a lesser extent in Hong Kong and Singapore. Women are subjected to domestic servitude or forced prostitution after entering into commercially brokered marriages to Chinese and Korean men, although this trend appears to be decreasing in Korea. Traffickers sometimes use drugs, fraudulent social networking, online job opportunities, or English language programs to lure Mongolian victims into sex trafficking. A majority of Mongolian victims from rural and poor economic areas are subjected to sex trafficking in Ulaanbaatar, provincial centers, and border areas. Tourists from Japan and South Korea have reportedly engaged in child sex tourism in Mongolia in prior years.

The ongoing development of the mining industry in southern Mongolia continues to drive growing internal and international migration, intensifying trafficking vulnerabilities—especially along the China-Mongolia border. Truck drivers transporting coal across the border are often more vulnerable to exploitation due to an arrangement under which the authorities confiscate their passports as collateral for their vehicles. Women and girls are also at risk of being exploited in prostitution by drivers awaiting border crossing, along the coal transport roads connecting mining sites to the Chinese border, and at nightlife establishments in mining towns. Mining workers sometimes leave their children at home while on extended shift rotations, during which time the children are at elevated risk of sexual exploitation. Children are also subjected to forced labor and sexual exploitation in connection with artisanal mining. Some children are forced to beg, steal, or work in other informal sectors of the economy, such as horseracing, herding and animal husbandry, scavenging in garbage dumpsites, and construction, and are sometimes subjected to sex trafficking with familial complicity. North Korean and Chinese workers employed in Mongolia are vulnerable to trafficking as contract laborers in

construction, production, agriculture, forestry, fishing, hunting, wholesale and retail trade, automobile maintenance, and mining. The remaining North Korean laborers in Mongolia reportedly do not have freedom of movement or choice of employment, and companies allow them to retain only a small portion of their wages while subjecting them to harsh working and living conditions. Chinese workers have reported non-payment of wages. Observers report that corruption among some Mongolian officials facilitates sex trafficking in illicit establishments and impedes the government's anti-trafficking efforts.

MONTENEGRO: TIER 2 WATCH LIST

The Government of Montenegro does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by prosecuting two defendants for the first time since 2014 under article 444. The government continued to train government employees on trafficking issues and organized awareness campaigns. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not convict any traffickers under its trafficking law for the fourth consecutive year. The labor inspectorate had insufficient resources to identify victims proactively and the Office for the Fight against Trafficking in Persons lost its status as an independent agency. The lack of convictions prevented victims from obtaining restitution from their traffickers. Therefore Montenegro remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR MONTENEGRO

Vigorously investigate, prosecute, and convict traffickers, including complicit officials, for trafficking crimes under article 444 of the criminal code; increase proactive screening of potential victims, especially for children engaged in begging, women in prostitution, and seasonal workers; provide advanced training to judges, prosecutors, and law enforcement on trafficking investigations and prosecutions; increase training of first responders on victim identification and referral; incentivize and encourage victim participation in investigations and prosecutions in a victim-centered manner; allocate sufficient resources to the labor inspectorate to increase proactive identification of forced labor victims; integrate Romani groups into decision-making processes regarding victim protection; create and finance an accessible compensation fund and inform victims of their right to compensation during legal proceedings; and ensure the Office for the Fight against Trafficking in Persons has adequate authority, capacity, and impact to implement anti-trafficking efforts.

PROSECUTION

The government maintained law enforcement efforts. Article 444 of the criminal code criminalized all forms of trafficking and prescribed penalties ranging from one to ten years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government investigated two cases (seven in 2016) and prosecuted two defendants (no prosecutions in 2016 or 2015). The government did not secure any convictions under article 444 for the fourth consecutive year. Experts reported authorities investigated and prosecuted possible sex trafficking cases under other offenses, such as brokering in prostitution (article 210), due to a lack of evidence or reluctance of victims to act as a witness; one of the two cases investigated as trafficking led to a prosecution under brokering in prostitution. Experts reported prosecutors stopped some investigations when they secured enough evidence to prosecute under article 210 and did not investigate for more subtle forms of coercion or seek additional evidence through financial investigations or other specialized investigative techniques. In addition, experts were not aware of any cases referred to the prosecutor's office responsible for organized crime and noted weak coordination between police and prosecutors.

Law enforcement maintained two task forces targeting forced child begging and sex trafficking, as well as a specialized trafficking unit within the police's organized crime department. Law enforcement conducted raids on bars, nightclubs, commercial sex sites, escort agencies, and businesses suspected of illegal employment practices, but these raids did not result in any trafficking investigations. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The Office for the Fight against Trafficking in Persons (OFTIP) and the Ministry of Interior (MOI), in cooperation with an international organization, trained 41 border police officers, 18 investigators, 16 prosecutors, and 17 judges. OFTIP, MOI, and the police academy trained 50 representatives from the police directorate on trafficking issues. The police academy also trained new police cadets on trafficking issues.

PROTECTION

The government maintained victim protection efforts. The government identified one officially recognized victim and one potential sex trafficking victim (one potential forced begging victim in 2016). The government also identified three female children forced into marriage and vulnerable to domestic servitude (two children forced into marriage in 2016). The government-funded NGO-run shelter accommodated four victims (three in 2016). OFTIP allocated €23,500 ($28,210) to the NGO-run shelter, compared to €27,000 ($32,410) in 2016. Police identified 107 child beggars (75 in 2016 and 122 in 2015) but did not identify any as trafficking victims. The government accommodated most of the child beggars at local social welfare centers until releasing them to their parents or guardians.

A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures for identifying and referring victims to services. First responders carried out the preliminary identification of potential victims and then contacted police who formally recognized the individuals as potential trafficking victims. The government identified potential victims as an official trafficking victim only in cases with a final conviction or at times a formal indictment; however, the government provided the same services to potential victims and officially recognized victims. A multi-disciplinary coordination team led by the national coordinator monitored the implementation of the NRM and met twice a year and when

a potential victim was identified. OFTIP provided training on victim identification to police, labor inspectors, health workers, social workers, and asylum officers; however, law enforcement still conducted the majority of proactive identification efforts. Police officers proactively screened foreign nationals and seasonal workers during the summer tourist season for indicators of trafficking. Observers reported the low number of identified victims reflected inadequate victim identification procedures. The government-funded NGO-run shelter provided specialized services for trafficking victims, including vocational training and medical, psycho-social, legal, and reintegration assistance. The shelter could accommodate adult male, adult female, and child victims in separate living quarters in the shelter. Victims could leave the shelter after assessment by police, or by the social welfare centers in the case of children. The Ministry of Labor and Social Welfare (MLSW) operated local and social welfare centers and two regional institutions, which provided general services for victims of abuse, including trafficking victims. Although MLSW did not provide specialized services for trafficking victims, MLSW could provide separate facilities for males and females.

The law provided witness protection, free legal aid, and a psychologist to encourage victims to participate in prosecutions; however, observers reported the government assigned lawyers with little or no experience to victims in trafficking cases. The law also allowed for the possibility for victim restitution through civil suits and entitled foreign trafficking victims to receive a temporary residence permit, lasting from three months to one year, and work authorization. No victims applied for temporary residence permits in 2015, 2016, or 2017. One child victim participated in the prosecution of her trafficker; prosecutors video recorded her testimony in the presence of a social worker. The law on compensation of victims intended to provide financial assistance to victims of violent crimes; however, this law will not go into effect until Montenegro becomes a member of the EU. No victim has ever received restitution in civil or criminal proceedings; observers reported some prosecutors did not know they could make claims during criminal proceedings. The government did not penalize trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking.

PREVENTION

The government maintained prevention efforts. The government produced semiannual progress reports on implementing the strategy and action plan and allocated €176,630 ($212,040) to OFTIP, compared to €174,862 ($209,920) in 2016. OFTIP led overall anti-trafficking efforts and the head of OFTIP was the national coordinator for the anti-trafficking task force, which comprised government agencies, non-governmental and international organizations, and the international community. OFTIP lost its status as an independent agency after reorganization into the MOI; observers reported the MOI did not fully recognize OFTIP's role and the reorganization created unnecessary administrative obstacles. The government organized seminars for health care workers, municipality representatives, social workers, and inspectors, on their respective roles and responsibilities in anti-trafficking efforts. The government continued to support two hotlines for victims of abuse and domestic violence, including trafficking victims. The hotline received 476 calls (414 in 2016), but none of the calls led to an investigation, and observers reported police rarely acted on potential cases from the hotline (15 potential trafficking cases initiated from calls in 2016).

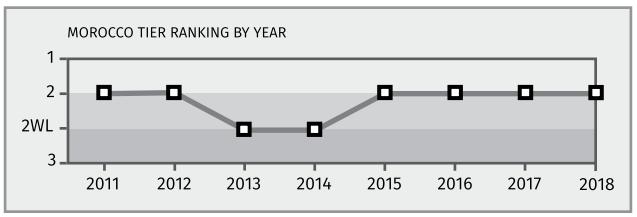
The government, in coordination with the Roma Council and NGOs, organized awareness campaigns targeting the Romani community on trafficking issues. The government also continued a national awareness campaign that included an awareness-raising video shown on television stations and increased cooperation with media outlets to advertise the hotline. Observers reported awareness campaigns lacked attention towards seasonal workers. Authorities provided specialized training to labor inspectors, although inspectors did not identify any cases of forced labor. The labor inspectorate reported its 32 inspectors was insufficient to fulfill its mandate. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Montenegro is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Victims of sex trafficking identified in Montenegro are primarily women and girls from Montenegro, neighboring Balkan countries, and, to a lesser extent, other countries in Eastern Europe. Sex trafficking victims are exploited in hospitality facilities, bars, restaurants, nightclubs, and cafes. Children, particularly Romani and Albanian children, are subjected to forced begging. Romani girls from Montenegro reportedly have been sold into marriages in Romani communities in Montenegro and, to a lesser extent, in Kosovo, and forced into domestic servitude. International organized criminal groups occasionally subject Montenegrin women and girls to sex trafficking in other Balkan countries.

MOROCCO: TIER 2

The Government of Morocco does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Morocco remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting more trafficking cases and convicting slightly more traffickers compared to the previous year—all under the 2016 anti-trafficking law. It also established an inter-ministerial anti-trafficking committee to coordinate anti-trafficking policies and programs across ministries and created a specialized unit to combat trafficking among Moroccans overseas and migrants in the country. However, the government did not meet the minimum standards in several key areas. The government did not provide or fund specialized protection services specifically for trafficking victims, and did not report screening for trafficking victims, especially among irregular migrants who remained highly vulnerable to trafficking in Morocco. As a result, unidentified victims among vulnerable populations remained at risk of penalization and re-trafficking.



RECOMMENDATIONS FOR MOROCCO

Implement the 2017 decree for the National Commission to

coordinate anti-trafficking measures and directly train judicial and law enforcement authorities on its application; significantly increase trafficking-related investigations, prosecutions, and convictions of traffickers and impose sufficiently stringent sentences; continue to develop and implement procedures for officials to proactively identify and refer trafficking victims, especially among irregular migrants; ensure that victims are not punished for crimes committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations; provide adequate protection services for trafficking victims and witnesses via funding or in-kind support to NGOs that provide specialized services for victims of all forms of trafficking; develop and systemically implement formal procedures for victim identification and referral to care using a victim-centered approach; address obstacles to integration faced by migrants who face abuse in the security system and elsewhere; and disaggregate the data between human trafficking and migrant smuggling crimes.

PROSECUTION

The government increased its law enforcement efforts. Law 27.14 criminalized sex and labor trafficking and prescribed penalties of five to 10 years imprisonment and fines of up to $53,465, which were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties for other serious crimes, such as rape. The law criminalized child trafficking as an aggravated offense, with prescribed penalties of 20 to 30 years' imprisonment and a fine of between $21,386 and $213,857. Several pre-existing laws used during the reporting period criminalized some forms of sex and labor trafficking. Generally, penalties under these laws were not sufficiently stringent. Morocco's penal code criminalized forced child labor through article 467-2, which prescribed penalties of one to three years imprisonment, which were not sufficiently stringent. The penal code also criminalized "forced prostitution" and "child prostitution" through articles 497-499, which prescribed penalties of up to 10 years; these penalties were sufficiently stringent and commensurate with other serious crimes such as rape. Article 10 of Morocco's labor code criminalized forced labor and prescribed penalties of a fine for the first offense and a jail term of up to three months for subsequent offenses; these penalties were not sufficiently stringent. The Ministry of Justice (MOJ) reported that proposed amendments to the penal code would expand the definition of the exploitation of children, including defining anyone under 18 (compared with prior age limit of 15) a child, and increased fines and prison sentences for those who exploit children in any way, including as labor; those amendments remained pending at the end of the reporting period.

The media reported that the government investigated a total of 34 potential trafficking cases for calendar year 2017, as compared to 11 in 2016. The government reported prosecution of nine cases involving 20 alleged traffickers and four convictions, compared with four prosecutions and three convictions in 2016. This was the first reporting period for which the government recorded data specifically on trafficking-related arrests and convictions under this law. Among its investigations were eight sub-Saharan migrants for links to trafficking networks, more than 25 beauty salons and massage parlors in Casablanca for suspected trafficking-related crimes, and a journalist on human trafficking and sexual assault charges. The government reported that a U.S. citizen charged in the previous reporting period in a child sex trafficking case will be extradited to the United States for trial. The government reported that two Moroccan peacekeepers accused in 2016 of sexual exploitation were convicted under article 475 and 486 of the penal code for sexual abuse and sentenced to a year of prison and that the case of a third Moroccan peacekeeper accused in 2016 of sexual exploitation was pending. The government did not report the status of the cases of three Saudi Arabian nationals arrested in the same case of child sex trafficking. The government did not report the status of the perpetrators involved in 112 trafficking and migrant smuggling networks dismantled in 2017 or the 29 masterminds, 66 smugglers, and 12 accomplices reported to be involved in 33 trafficking-related criminal networks disbanded in 2016. External sources reported that the government continued to cooperate with Spain to extradite and prosecute international human traffickers, but it was not clear if any traffickers had been extradited by the Moroccan government. The MOJ organized regular training programs on human trafficking for judges and other judicial officials. The government reported training 80 labor inspectors and an unspecified number of security forces on how to identify and protect trafficking victims during the reporting period in addition to training 50 security forces from Guinea on combating trafficking of persons.

The Minister Delegate to the Ministry of Foreign Affairs and International Cooperation in Charge of Residents Abroad and Migration Affairs (MDMRAMA) led the implementation of the government's National Strategy for Immigration and Asylum, which included a project to combat trafficking in persons networks through the establishment of a specialized unit to combat trafficking during the reporting period. Through this project, MDMRAMA organized training sessions on the provisions of the anti-trafficking law and immigration, asylum, and trafficking for 185 government officials and security services personnel. The government did not report initiating any investigations, prosecutions, or convictions of government officials complicit in human trafficking; however, a Bulgarian NGO alleged that a Moroccan diplomat exploited a third-country national in domestic work while posted abroad.

PROTECTION

The government maintained minimal efforts to identify and protect trafficking victims. As in past years, the government remained without a formal process and did not report proactive efforts to identify trafficking victims, including within vulnerable populations such as irregular migrants. The government reported that 16 victims were referred to the MOJ's children and women protection units, and were subsequently provided medical care as needed and referred to NGOs for appropriate specialized assistance. It reported that 10 of the 16 were victims of sex trafficking, one of forced labor, four of forced begging, and one unknown. The government did not report efforts to refer or protect trafficking victims.

The government covered all costs including psychological and medical support, reintegration, and repatriation assistance, including transportation, food, and hospital care as needed, to 426 Moroccans repatriated from Libya, a population vulnerable to trafficking. In partnership with international organizations, the Ministry of Health (MOH) began implementation of a strategic plan to institutionalize care for victims of violence, including foreign migrant women and children, who are vulnerable to trafficking, at reception centers staffed by nurses and social workers at major hospitals, and children/women protection units in Moroccan courts. These hospital-based units provided integrated medical and psychological treatment and social support for an estimated 4,110 child victims of physical violence and 1,130 child victims of sexual violence in coordination with public partners and civil society in 2016,

the most recent period for which data was available; however, the government did not report how many of these children were victims of trafficking. The government also increased the number of child protection centers that offer emergency response and reported that 4,300 children participated in child protection center programs.

While the government remained without a formal victim referral process, both the Ministry of Solidarity, Women, Family, and Social Development and MOH coordinated with civil society to provide assistance to trafficking victims. Some local law enforcement officials had an ad hoc referral process—utilizing identified contacts at reception centers and a list of NGO service providers that they shared with local and regional authorities as a resource.

The government began an inter-ministerial working group to improve assistance for and protection of trafficking victims, but remained without protection services designed or funded specifically to assist trafficking victims. Civil society organizations continued to be the primary providers of protection services for trafficking victims. The government reportedly continued to encourage victims to cooperate in investigations against their traffickers, but did not report on the number of victims who provided testimony during the reporting period, whether victims received restitution from traffickers, or how witness confidentiality would be protected.

Although the government drastically decreased deportations of migrants over the last couple of years, it continued to conduct forced internal relocations of irregular migrants. As the government remained without a formal victim identification process and made minimal efforts to identify potential trafficking victims among the vulnerable irregular migrant population, victims likely remained unidentified in the law enforcement system and may have been penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration and prostitution violations. The government provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face retribution or hardship.

PREVENTION

The government increased efforts to prevent human trafficking. In November 2017, the government finalized a decree to establish a national inter-ministerial anti-trafficking commission as required by the 2016 anti-trafficking law, which remained pending approval by the Councils of Government and Ministers at the end of the reporting period. The National Center for Listening and Reporting received 830 complaints on the exploitation and abuse of children, which may include trafficking crimes. MDMRAMA organized awareness campaigns on the anti-trafficking law for populations vulnerable to trafficking, such as women, children, and migrants, and provided assistance and employment-related trainings to 635 children at risk of human trafficking at professional and vocational training centers. The government implemented new laws during the reporting period prohibiting the employment of domestic workers under the age of 16 and strictly limited the employment of children between the ages of 16 and 18. The government allocated a budget of approximately $213,860 to the Ministry of Labor and Vocational Integration (MOLVI) to provide support to associations specifically working to combat child labor. Although MOLVI targets sectors and companies more likely to be violating the labor code and exploiting vulnerable persons such as children, the size of the country, scarcity of inspectors, and lack of financial resources limited its ability to monitor and adequately enforce the labor code. There was no national focal point to submit complaints about child labor and no national reciprocal referral mechanism for referring children found during inspections to appropriate social services. While the government provided some financial support to civil society actors who have made progress in child labor issues, service providers were often dependent on expertise and financing from international organizations and foreign donors. Observers have noted that while the government made efforts to protect vulnerable children, many government programs suffered from a lack of qualified personnel and adequate coordination.

The government continued its regularization campaigns to grant legal status and protections including social services, education, and vocational training to migrants and refugees. The government did not make efforts to identify potential trafficking victims among those whose stay was regularized through this program. The government made minimal efforts to reduce the demand for commercial sex acts, child sex tourism, and forced labor and reported arresting foreign pedophiles among its efforts. The government provided its diplomatic personnel with human rights training, including respect for labor and trafficking in persons laws, in their basic courses before being assigned abroad. Moroccan peacekeeping forces received anti-trafficking training and operated under a "no tolerance" standard for its troops involved in UN peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Morocco is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. According to a November 2015 study conducted by the Moroccan government, with support by an international organization, children are exploited in Morocco for labor, domestic work, begging, and sex trafficking. Although the incidence of child domestic workers has reportedly decreased since 2005, girls are recruited from rural areas for work in domestic service in cities and become victims of forced labor. Some Moroccan boys endure forced labor while employed as apprentices in the artisanal and construction industries and in mechanic shops. The 2015 study also found that some Moroccan women are forced into prostitution in Morocco by members of their families or other intermediaries.

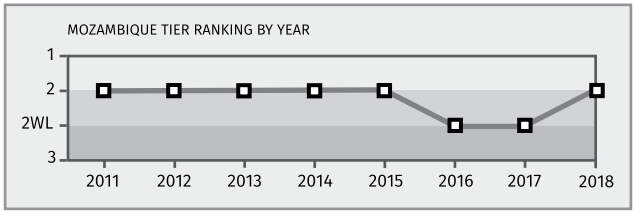
Some female undocumented migrants, primarily from Sub-Saharan Africa and a small but growing number from South Asia, are coerced into prostitution and forced labor. Criminal networks operating in Oujda on the Algerian border and in the northern coastal town of Nador force undocumented migrant women into prostitution and begging; networks in Oujda also reportedly force children of migrants to beg. Some female migrants, particularly Nigerians, who transit Oujda are forced into prostitution once they reach Europe. International organizations, local NGOs, and migrants report unaccompanied children and women from Cote d'Ivoire, Democratic Republic of the Congo, Nigeria, and Cameroon are highly vulnerable to sex trafficking and forced labor in Morocco. Some reports suggest Cameroonian and Nigerian networks force women into prostitution, while Nigerian networks also force women to beg in the streets by threatening the victims and their families; the victims are typically the same nationality as the traffickers. Some women from the Philippines and Indonesia are recruited for employment as domestic workers in Morocco; upon arrival, some are subjected to forced labor, experiencing non-payment

of wages, withholding of passports, and physical abuse at the hands of their employers.

Moroccan men, women, and children are exploited in forced labor and sex trafficking, primarily in Europe and the Middle East. Moroccan women forced into prostitution abroad experience restrictions on movement, threats, and emotional and physical abuse. Some foreigners, primarily from Europe and the Middle East, engage in child sex tourism in major Moroccan cities.

MOZAMBIQUE: TIER 2

The Government of Mozambique does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Mozambique was upgraded to Tier 2. The government prosecuted six defendants and convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms. The government demonstrated increased efforts by identifying and referring to care significantly more trafficking victims and increasing training for front-line officials, including law enforcement and immigration officials, and trained labor inspectors for the first time. The government increased efforts to prevent trafficking by convening the National Reference Group (NRG) to coordinate anti-trafficking efforts, funding awareness campaigns to educate the public in urban and rural areas, and training front-line responders on victim-centered approaches. However, the government did not meet the minimum standards in several key areas. The government did not finalize its draft national action plan or draft implementing regulations on the 2008 anti-trafficking law's victim protection provisions. Some front-line responders conflated smuggling with trafficking. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting.



RECOMMENDATIONS FOR MOZAMBIQUE

Increase efforts to prosecute and convict traffickers; finalize and implement the national action plan, and issue regulations necessary to implement the protection and prevention provisions of the 2008 anti-trafficking law; expand the availability of protective services for victims via increased funding or in-kind support to relevant partners in the National Group to Protect Children and Combat Trafficking in Persons; build the capacity of the labor inspectorate and the Women and Children's Victim Assistance Units to investigate trafficking cases and provide short-term protection to victims; develop a formal system to proactively identify trafficking victims among vulnerable populations and finalize and implement the national referral mechanism; and train officials to investigate and prosecute those facilitating child sex trafficking or adult forced prostitution.

PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. The Law on Preventing and Combating the Trafficking of People, enacted in 2008, criminalized sex and labor trafficking and prescribed penalties of 16 to 20 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

In 2017, the government investigated five trafficking cases, all of which were forced labor, compared with 20 the previous year. The government prosecuted six defendants in all five cases compared with 17 defendants the previous year. The government convicted six labor traffickers under the 2008 anti-trafficking law, all of whom received prison terms, ranging from two to 16 years imprisonment, compared with 16 convictions in 2016. For the first time, the government disaggregated trafficking case data from other related crimes, thus providing a more accurate understanding of law enforcement efforts. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The government expanded training for law enforcement on victim identification and trained 100 immigration officials in the protection of vulnerable migrants with a specific focus on trafficking. The government provided in-kind support and paid travel costs of participants to the majority of trainings led by international organizations during the reporting period. The Attorney General's Office signed a Memorandum of Understanding (MOU) with the Republic of South Africa addressing cross-border cooperation on trafficking cases and drafted MOUs with Eswatini and Zambia. In December 2017, in partnership with an international organization, the Attorney General's Office trained 24 officials, including prosecutors, police officers, immigration officials, and social workers in a two-day workshop in Tete province. The officials were trained on victim identification, data collection, and data flow through the government's system. As a result of the training, the Tete-based officials determined four cases they had submitted to the Attorney General's Office were actually smuggling cases and removed them from the system. Expert reports alleged traffickers commonly bribed police and immigration officials to facilitate trafficking crimes both domestically and across international borders.

PROTECTION

The government increased protection efforts. The government identified and referred to care 53 victims, including 35 forced labor victims, three sex trafficking victims; 15 were victims of both forced labor and sex trafficking compared with 11 trafficking victims identified and referred during the previous reporting period. In partnership with an international organization, the Ministry of Gender, Children, and Social Action (MGCAS) operated three dedicated trafficking shelters, which provided medical, psychological, legal assistance to all adult and child victims. The MGCAS provided family reunification and reintegration for at least 12 child victims. In partnership with an international organization, the government developed a draft national referral mechanism (NRM) during the reporting period, which remained awaiting finalization and implementation. However, implementing regulations for trafficking victim and witness protection were not drafted or finalized by the end of the reporting period.

Police stations throughout the country had specialists trained by the Office of Assistance to Women and Children Victims of Domestic Violence who were equipped and available to respond

to suspected trafficking cases. The government continued to operate facilities in more than 215 police stations and 22 "Victims of Violence" centers throughout the country offering temporary shelter, food, limited counseling, and monitoring following reintegration for victims of crime; however, it remained unclear whether trafficking victims benefited from these services in 2017. The Attorney General's Office convened relevant government stakeholders to assess and coordinate their joint efforts to address victims' needs in several specific cases during the reporting period. The technical working group on victim protection, a sub-group of the NRG consisting of prosecutors at the provincial level, child and social services and department of health personnel, police officers and two international NGOs, held a conference to discuss current trafficking cases, an outcome of which was improved coordination between the NRG and provincial and district-level front-line responders to ensure better oversight and monitoring of trafficking cases. The anti-trafficking law required police protection for victims who participated as witnesses in criminal proceedings against traffickers, and the government provided such assistance to one victim during the reporting period. In at least one case, the NRG proactively sought translation services for a non-Portuguese speaking victim. Although Mozambican law provided for temporary residency status or legal alternatives to the removal of foreign victims to countries where they might face hardship or retribution, the government did not use this provision during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. The NRG met at least three times during the reporting period to coordinate anti-trafficking efforts at the national level. The NRG revised and approved updated terms of reference for the group and finalized and approved its 2017 work plan, which outlined training for labor inspectors and consular officers. A sub-group of 15 NRG members finalized the development of supporting documents to the NRM, which were adopted by the NRG. The NRG drafted standard operating procedures for the NRG and implementation of the NRM; however, these were not finalized or adopted during the reporting period. In October 2017, in partnership with an international organization, the government held public consultations on the draft national action plan in two provinces that were attended by the Deputy Prosecutor General, members of the national and provincial reference groups, local government officials, civil society and journalists; however, the national action plan was not passed during the reporting period. Provincial-level reference groups, consisting of local officials, police, border guards, social workers, NGOs, and faith-based organizations, carried out awareness campaigns to educate the public in urban and rural areas and coordinated regional efforts to address trafficking and other crimes. In August 2017, in partnership with an international organization, the Office of the Attorney General of the Republic (PGR) trained 26 members of the Niassa Reference Group on the international and national legal framework on trafficking. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. In partnership with international organizations, for the first time the government trained 25 labor inspectors on trafficking victim identification and referral. Members of the NRG participated in TV and radio debates on World Day Against Human Trafficking. In September 2017, the PGR and the Ministry of Labor coordinated with an international organization to train 25 labor inspectors for the first time ever on the international legal framework on trafficking, trafficking indicators for labor exploitation, and the referral process to ensure victims receive protective services. In coordination with an international organization, the government liaised with two airlines identified as transporting labor migrants traveling on falsified visas to prevent further travel. Mozambican officials remained without effective policies or laws regulating foreign recruiters and holding them civilly and criminally liable for fraudulent recruiting. The government did not demonstrate tangible efforts to reduce the demand for commercial sex acts or forced labor during the year.

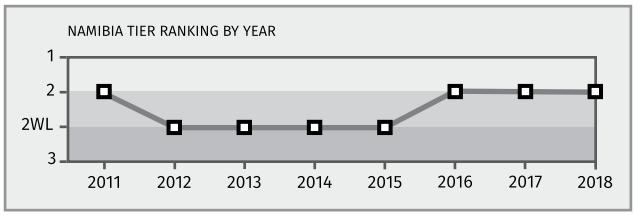
TRAFFICKING PROFILE

As reported over the past five years, Mozambique is a source, transit, and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The use of forced child labor occurs in agriculture, mining, and market vending in rural areas, often with the complicity of family members. In addition to voluntary migrants from neighboring countries, women and girls from rural areas, lured to cities in Mozambique or South Africa with promises of employment or education, are exploited in domestic servitude and sex trafficking. Mozambican girls are exploited in bars, roadside clubs, overnight stopping points, and restaurants along the southern transport corridor that links Maputo with Eswatini and South Africa. Child sex trafficking is of growing concern in Maputo, Beira, Chimoio, Tete, and Nacala, which have highly mobile populations and large numbers of truck drivers. As workers and economic migrants seek employment in the growing extractive industries in Tete and Cabo Delgado, they increase the demand for sexual services, potentially including child sex trafficking. Mozambican men and boys are subjected to forced labor on South African farms and mines where they often labor for months without pay under coercive conditions before being turned over to police for deportation as illegal migrants. Mozambican boys migrate to Eswatini to wash cars, herd livestock, and sell goods; some subsequently become victims of forced labor. Mozambican adults and girls are subjected to forced labor and sex trafficking in Angola, Italy, and Portugal. Persons with albinism, including children, are increasingly vulnerable to trafficking for the purpose of organ removal. Informal networks typically comprise Mozambican or South African traffickers. South Asian smugglers who move undocumented South Asian migrants throughout Africa also reportedly transport trafficking victims through Mozambique. Previous reports allege traffickers bribe officials to move victims within the country and across national borders to South Africa and Eswatini.

NAMIBIA: TIER 2

The Government of Namibia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period, therefore Namibia remained on Tier 2. The government demonstrated increasing efforts by signing the Combating of Trafficking in Persons Bill; prosecuting more traffickers; identifying more trafficking victims the majority of whom were victims of forced labor; and referring some victims to care in a partially government-funded NGO shelter. However, the

government did not meet the minimum standards in several key areas. The government did not convict any traffickers for the second consecutive year; did not refer all identified victims to care; and continued to lack formal procedures for victim identification and referral.



RECOMMENDATIONS FOR NAMIBIA

Adopt and implement the draft national mechanism to identify victims and refer them to care; increase funding and efforts to provide care to trafficking victims; increase efforts to investigate, prosecute, and convict traffickers; gazette and implement the Combating of Trafficking in Persons Bill; finalize and implement a new national action plan to guide anti-trafficking efforts; train officials on relevant legislation; strengthen coordination among government ministries at both the ministerial and working level; and increase efforts to raise public awareness, especially in rural areas.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 Prevention of Organized Crime Act (POCA) criminalized labor and sex trafficking and prescribed penalties of up to 50 years imprisonment or a fine not exceeding 1 million Namibian dollars ($81,200). These penalties were not sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. In March 2018, the president signed the Combating of Trafficking in Persons Act which explicitly criminalizes human trafficking and provides protection measures for victims of trafficking; however, it was not included in the official gazette, which is a requirement for the law to be fully operational.

During the reporting period, the government investigated seven trafficking cases involving 10 suspects, compared to eight cases in 2016; of these, two involved alleged sex trafficking and five alleged forced labor. The government initiated prosecution in four cases involving five defendants, an increase from two cases prosecuted during the previous year. All defendants were charged under the POCA of 2004 and two of five defendants were also charged with knowingly soliciting a victim of sex trafficking under the Combatting of Immoral Practices Act of 1980. One of the two defendants solicited sex from a trafficking victim in 2015 and absconded to South Africa shortly after being charged; the government proactively requested and then secured his extradition to Namibia in December 2017. The government did not convict any traffickers for the second consecutive year; one defendant was prosecuted and acquitted under the POCA.

The government trained more than 1,000 front-line responders, including immigration, customs, and labor officials, law enforcement officers, prosecutors, social workers, church leaders, and journalists. In partnership with an international organization, the government conducted two train-the-trainer events on victim-centered investigations and prosecutions covering seven of Namibia's 14 regions. The government continued implementing its training curriculum for new immigration officers and in-service personnel. The government provided advanced training on investigation methods to police in the High Profile Crime Division, those responsible for investigating all potential trafficking crimes, and prosecutors likely to encounter trafficking victims. The government provided anti-trafficking training to an unknown number of law enforcement officers in three police colleges during the reporting period. The High Profile Crime Unit trained student social workers at the University of Namibia on victim identification. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained efforts to protect trafficking victims. The government identified 21 trafficking victims, including 11 adult male victims, one adult female victim, and nine female child victims, and referred five victims to an NGO shelter, which was partially government-funded. This was compared to 12 victims identified and referred in 2016. Fifteen victims were exploited in forced labor and six were sex trafficking victims. The government did not have formal written procedures for use by all officials on victim identification and referral to care; however, the government created a checklist for law enforcement to aid in victim identification, which was introduced into the Namibian Police's (NamPol) Standard Operating Procedure Manual. The national anti-trafficking coordinating body drafted but did not adopt a national referral mechanism to formalize identification and referral procedures. In practice, labor inspectors and immigration officials contacted NamPol when an instance of potential trafficking occurred; NamPol referred victims of all crimes to temporary shelter and medical assistance. The Gender-based violence Protection Units facilities offered initial psycho-social, legal, and medical support to crime victims, in cooperation with the police, the Ministry of Gender Equality and Child Welfare (MGECW), the Ministry of Health, and NGOs. Government shelters for victims of gender-based violence, including trafficking, were inadequately staffed and non-operational during the reporting period. Adult victims had the ability to seek employment and work while receiving assistance, though it is unknown how many victims did so during the reporting period. The NGO shelter that received victims during the reporting period expanded its ability to receive families and teen boys; however, there were no facilities equipped to shelter adult male victims of trafficking. The government provided 26,000 Namibian dollars ($2,110) per month to the NGO that received victims, which funded approximately 13 percent of operating costs. The government also assigned social worker interns during their final year of training to support the NGO. The government lacked standard operating procedures for shelters, which remained under development by MGECW. The Ministry of Home Affairs and Immigration continued to provide immigration officials a printed manual to guide identification of trafficking victims.

The government did not have a policy to encourage victims' participation in investigations; the law provides for witness protection or other accommodations for vulnerable witnesses that in principle would be available for trafficking victims. There were no reports that the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking; however, without uniform victim identification measures, victims may be left unidentified in the law enforcement system. The media reported that 22 Angolan nationals, many of them minors, were deported without being screened for trafficking indicators. The police

and prosecutor general began implementing a formal policy to screen individuals who have been identified for deportation for trafficking before deportation. While the government had no formal policy to provide residence permits to foreign victims of trafficking, during previous reporting periods government officials made ad-hoc arrangements for victims to remain in Namibia.

PREVENTION

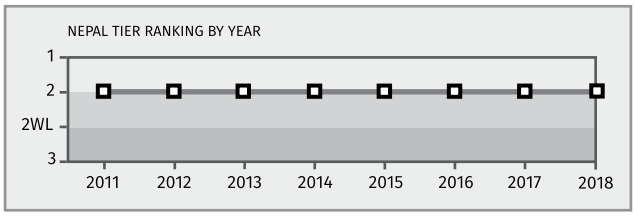
The government maintained prevention efforts. The ministerial-level national committee to combat trafficking and its technical committee did not hold any official meetings during the reporting period. A working level committee met three times during the reporting period with support from an international organization. The National Action Plan to Combat Trafficking in Persons expired at the end of 2016; the government began drafting the National Gender Based Plan of Action, which will include trafficking; however, it remained pending at the close of the reporting period. The government hosted the second annual commemoration of World Day Against Trafficking in Persons where the deputy prime minister addressed the media about the importance of combating human trafficking. Government officials trained journalists on best practices for reporting on trafficking cases. The government did not report additional efforts to raise awareness. Other senior government officials held press conferences to raise awareness of the government's efforts to combat trafficking. The government continued to participate in the Southern African Development Community (SADC) regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, UNODC and SADC launched the first annual draft analysis report for the region. The Ministry of Labor and Social Welfare employed 97 labor and occupational health and safety inspectors, who were responsible for enforcing laws against child labor. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Namibia is a source and destination country for children, and to a lesser extent women, subjected to forced labor and sex trafficking. Some victims are initially offered legitimate work for adequate wages, but are then subjected to forced labor in urban centers and on commercial farms. Namibian children are subjected to forced labor in agriculture, cattle herding, and domestic service, and to sex trafficking in Windhoek and Walvis Bay. A 2015 media report alleged foreign sex tourists from southern Africa and Europe exploit child sex trafficking victims. Namibians commonly house and care for children of distant relatives to provide expanded educational opportunities; however, in some instances, these children are exploited in forced labor. Among Namibia's ethnic groups, San and Zemba children are particularly vulnerable to forced labor on farms or in homes. Children from less affluent neighboring countries may be subjected to sex trafficking and forced labor, including in street vending in Windhoek and other cities as well as in the fishing sector. Angolan children may be brought to Namibia for forced labor in cattle herding.

NEPAL: TIER 2

The Government of Nepal does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Nepal remained on Tier 2. The government demonstrated increasing efforts through increased trafficking investigations, prosecutions, and convictions. Law enforcement investigated and arrested several allegedly complicit officials. With direct government support, NGOs opened two rehabilitation homes, 19 emergency shelters, and 19 community service centers for female victims of gender-based violence, including trafficking. The government established 312 Local Committees for Controlling Human Trafficking (LCCHTs) and issued a directive to recruitment agencies to furnish information demonstrating their adherence to the low-cost migration policy. However, the government did not meet the minimum standards in several key areas. Its laws do not prohibit all forms of forced labor and sex trafficking and it continued to lack standard operating procedures (SOPs) on victim identification and referral to rehabilitation services. Despite a large number of male migrant workers who experience abuse overseas, government protection efforts disproportionately focused on female victims, and the government did not report providing any services to male victims during the reporting period. Official complicity in trafficking offenses remained a serious problem due to both direct complicity in trafficking crimes as well as negligence. Many government officials continued to lack understanding of trafficking. Officials encouraged migrant workers who experienced exploitation abroad to register cases under the Foreign Employment Act (FEA), which criminalized fraudulent recruitment, rather than notify police of labor exploitation, and prosecutors frequently declined to charge a case under the trafficking law if it had already been charged under the FEA, despite the difference in crimes. The government maintained its policies preventing female migration in several ways, and observers continued to report the revised policies led women to use illegal methods to migrate, which subsequently increased their vulnerability to human trafficking.



RECOMMENDATIONS FOR NEPAL

Amend the Human Trafficking and Transportation (Control) Act (HTTCA) to bring the definition of human trafficking in line with the 2000 UN TIP Protocol; respecting due process, increase investigations, prosecutions, and convictions against all forms of trafficking, including bonded labor, transnational labor trafficking of Nepali males, sex trafficking of Nepali females within Nepal, and against officials complicit in trafficking-related crimes; institute formal procedures for proactive identification and referral of trafficking victims to protection services and train officials on the procedures; expand access to and availability of victim care, including to exploited workers overseas and male victims in general; penalize licensed labor recruiters who engage in fraudulent recruitment or charge excessive fees; implement victim witness protection provisions in the HTTCA; enforce the low-cost recruitment policy and continue to take steps to eliminate all recruitment fees charged to workers; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking and remove the HTTCA provision reinstated in 2015 that

allows victims to be fined if they fail to appear in court or held criminally liable for providing testimony contradicting their previous statements; lift current bans on female migration to discourage migration through undocumented channels; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2007 HTTCA criminalized some forms of labor and sex trafficking. The HTTCA criminalized slavery and bonded labor but did not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor. It criminalized forced prostitution but, inconsistent with international law, required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Prescribed penalties ranged from 10 to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The 2002 Bonded Labor (Prohibition) Act criminalized bonded labor and the Child Labor Act criminalized forced child labor. The FEA criminalized fraudulent and deceptive labor recruitment. For the third consecutive year, the National Committee for Controlling Human Trafficking (NCCHT) drafted revisions to the HTTCA to bring the definition of human trafficking in line with international law; the HTTCA had not been amended by the end of the reporting period.

The Nepal Police Women's Cells (NPWCs) conducted 227 investigations under the HTTCA during the Nepali fiscal year, compared with 212 cases in the previous fiscal year. The 227 cases involved 389 alleged traffickers of whom 259 were arrested and 130 remained at large. NPWCs investigated crimes in which women and girls were the primary victims; other police investigative units handled crimes involving male victims. The Central Investigative Bureau (CIB) investigated eight transnational cases between April and December 2017, compared with 20 transnational cases and six internal cases during the same time period in 2016. The government initiated prosecutions in 303 cases during the fiscal year, an increase compared with 218 cases in the previous year, and continued to prosecute 184 cases from the previous reporting period. This data was not disaggregated to distinguish between sex and labor trafficking cases. At the district level, courts convicted 274 traffickers during the fiscal year, compared with 262 traffickers in the previous year, and acquitted 233 accused.

Legal experts stated that prosecutors could pursue a case under both the HTTCA and the FEA for transnational labor trafficking and foreign employment fraud, respectively; however, prosecutors regularly refused to do so believing such action would violate the prohibition against double jeopardy. Department of Foreign Employment (DFE) officials continued to advise abused migrant workers returning to Nepal to register complaints under the FEA rather than notify police. Victims of transnational labor trafficking preferred to submit claims for restitution through the FEA rather than pursue lengthy criminal prosecutions under the HTTCA, often to avoid the stigma associated with being labeled a trafficking victim (assumed to insinuate sex trafficking) and because the potential to be awarded restitution was higher. The government had standard training for labor, immigration, judicial, law enforcement, and foreign employment officials that incorporated anti-trafficking training. During the reporting period, the police and judicial academies hosted two separate trainings, with the support of a foreign government, on combating trafficking for police, prosecutors, NGO representatives, and DFE officials. Despite these trainings, police lacked sophisticated investigative techniques and skills to interact in a victim-centered way with trafficking survivors; these deficiencies subsequently undermined prosecution efforts.

Official complicity in trafficking offenses remained a serious problem. NGOs alleged some police and political party leaders were complicit in domestic sex trafficking because of their financial involvement in the adult entertainment sector. Observers alleged some traffickers enjoyed impunity due to personal connections with politicians or by bribing police. Some government officials were reportedly bribed to include false information in genuine Nepali passports or to provide fraudulent documents to prospective labor migrants or foreign employment agents. In August 2017, a parliamentary committee stated due to the negligence or complicity of immigration officials and police, girls and women were able to depart from the international airport without completing the required migrant work exit procedures; the committee stated up to 60 percent of Nepali domestic workers in the Gulf states were working illegally without the proper visa and safeguards. In November 2017, the commission arrested the Director General of DFE and two DFE officials for allegedly attempting to collect a bribe from a foreign employment agency; the three officials were released on bail or their own recognizance and were awaiting trial at the end of the reporting period. In December 2017, police arrested a recently-elected local official for allegedly exploiting two Nepali girls in sex trafficking in India; while the official was released on bail and awaiting trial for this offense, CIB arrested him for a prior trafficking crime for which he had been convicted in absentia and initiated his six-year term of imprisonment.

PROTECTION

The government maintained overall efforts to protect female trafficking victims; however, protection efforts for male victims remained wholly inadequate. The government did not have SOPs for victim identification and referral to rehabilitation services, although police did have internal guidelines on the identification and treatment of victims. Authorities did not systematically track the total number of victims identified, but did identify 368 victims connected to the 235 investigations initiated during the Nepali fiscal year, compared with 419 victims identified the previous year. Of the 311 NPWCs identified victims, 67 were subjected to sex trafficking, 125 to forced labor, and 119 victims' cases were uncategorized. It was unknown how many of these victims were exploited abroad, although 57 victims identified by CIB were victims of transnational trafficking, primarily in Gulf states. Of the total victims identified, 89 were under age 18 and almost all were female—only four were male. Officials' poor understanding of the crime, a lack of formal SOPs for identification, and victims' reluctance to be identified due to stigma hindered proper and proactive identification, especially among returning male labor migrants who reported exploitation abroad. NGOs continued to report government efforts to identify domestic sex trafficking victims improved. Police increased the number of inspections of Kathmandu adult entertainment businesses and more consistently worked to screen for sex trafficking to avoid penalizing victims for prostitution crimes. When properly identified, victims were not detained, fined, or jailed for crimes committed as a result of being subjected to human trafficking.

Although the government had national minimum standards for victim care and referral to services, referral efforts remained

ad hoc and inadequate. It is unclear how many victims were referred to and able to utilize services during the year. Ministry of Women, Children, and Social Welfare (MWCSW) reported its online directory, launched in the previous reporting period to catalog service providers for trafficking victims and migration-related exploitation, had not met its expectations for utilization but there were no efforts to improve it. The government decreased its contribution to provide services for female victims of violence, including trafficking, from 19 million Nepali rupees (NPR) ($186,000) during the 2016-2017 fiscal year to 10 million NPR ($97,700) for the 2017-2018 fiscal year, although this fund's financing was cumulative and had approximately 16 million NPR ($156,000) in the fund at the beginning of the year. During the reporting period and with support from MWCSW, NGOs opened two rehabilitation homes, 19 emergency shelters, and 19 community service centers for female victims of gender-based violence, including trafficking, bringing the total of government-supported homes to 10, emergency shelters to 36, and community service centers to 123. MWCSW also supported an NGO-run long-term shelter for female victims of violence, including trafficking. MWCSW provided the NGOs funding for three staff members per shelter, some facility expenses, and victim assistance, including legal assistance, psychological support, transportation, medical expenses, and skills training, although NGOs reported this funding was only distributed if NGOs requested reimbursement. Unlike in previous years, MWCSW did not allocate funds for the protection and rehabilitation of male trafficking victims; however, according to the MWCSW, male victims were entitled to the same support as female victims and the government could re-allocate funds for their rehabilitation if male victims sought services. An NGO ran one shelter for men in Kathmandu. Victims had the ability to seek restitution from a rehabilitation fund if the government was unable to collect fines from traffickers under the HTTCA. District courts in Kathmandu, Bhaktapur, and Chitwan ordered their respective district committees for controlling human trafficking (DCCHTs) to provide restitution from the fund, and MWCSW reported DCCHTs had initiated the process for some victims.

Overall victim-witness protection mechanisms remained insufficient. Notably the victim's right to police protection was not upheld due to resource limitations and observers stated victims were reluctant to file criminal complaints under HTTCA in part because of personal or family safety concerns. Victim protection mechanisms were also impeded by a 2015 amendment to the HTTCA that reinstated a provision allowing victims to be fined if they failed to appear in court or to be held criminally liable for providing testimony contradicting their previous statements. The government did not have established procedures for alternatives to the deportation of foreign victims.

While Nepali embassies in Kuwait, Oman, Saudi Arabia, Qatar, Bahrain, and United Arab Emirates provided emergency shelters for vulnerable female workers, some of whom were trafficking victims, the Foreign Employment Promotion Board (FEPB) acknowledged the shelters lacked sufficient space and resources to meet the high demand for assistance. FEPB collected fees from departing registered migrant workers for a welfare fund to provide repatriation and one year of financial support to families of injured or deceased workers, which could include trafficking victims. During the fiscal year, the fund provided financial support to the families of 102 injured and 810 deceased migrant workers, and paid to repatriate 50 workers. FEBP may also repatriate unregistered migrant workers by requesting funds through the finance ministry on an ad hoc basis. It is unknown if unregistered workers were repatriated during the reporting period. In December 2017, DFE launched an online application for migrant workers facing abusive or untenable situations overseas, or someone on the migrant worker's behalf, to file a request with officials for repatriation. In the first two months of the application, DFE received 227 repatriation requests; it is unknown how many of these requests were fulfilled or stemmed from trafficking crimes.

PREVENTION

The government increased efforts to prevent human trafficking. The government continued to establish LCCHTs and funded them through the DCCHTs. As of January 2018, 732 LCCHTs were in operation, an increase of 312 from the previous reporting period. MWCSW allocated approximately 110,240 NPR ($1,080) to each of the 75 DCCHTs to support awareness campaigns, meeting expenses, and emergency victim services. This was a slight increase from the 98,900 NPR ($970) allocated last fiscal year. While the NCCHT continued to meet with and train officials from the DCCHTs, observers continued to note the need for improved coordination between the NCCHT, DCCHTs, and LCCHTs. In January 2018, MWCSW reviewed the government's implementation of the 2012-2022 national action plan and found the government had completed 68 percent of prevention and 52 percent of protection activities, but only 31 percent of prosecution and 21 percent of capacity building, cooperation, and coordination activities. The review also highlighted the need to revise the national action plan to align anti-trafficking programming with the constitutional transition to federalism, as well as to better address forced labor. MWCSW issued its fifth report on the government's anti-trafficking efforts, and the National Human Rights Commission's Office of the Special Rapporteur on Trafficking in Women and Children issued its eighth report on human trafficking. The government conducted public awareness campaigns throughout the country, sometimes in partnership with NGOs or international organizations. In nine districts, special committees continued to monitor the adult entertainment sector for abuses. Observers stated their effectiveness was limited, however, due to a lack of funding and legislation to establish the committees' formal role.

The government's 2015 labor migration guidelines include a policy requiring foreign employers to pay for visa and transportation costs for Nepali migrant workers bound for Malaysia and the Gulf states and restrict agency-charged recruitment fees to 10,000 NPR ($98). In April 2017, DFE issued a directive to recruitment agencies to furnish financial details demonstrating their adherence to the policy; by September 2017, 750 of 1,097 agencies had fulfilled the requirement and DFE fined 30 agencies between 50,000-100,000 NPR ($488-$977) for failing to provide details of or clarification on their adherence. Both NGOs and officials noted enforcement of the low-cost migration policy was difficult and reported employment agencies regularly charged migrant workers for visa and transportation costs and fees above the 10,000 NPR ($98) limit. In October 2017, the government signed a bilateral labor agreement with Jordan stipulating employment conditions and the employer's responsibility to pay for migrant worker expenses such as airfare, insurance, health screenings, and visas. The government maintained its ban on migration of female domestic workers under age 24 to Gulf states and of mothers with children under age two. At the government's invitation, the UN Special Rapporteur on the Human Rights of Migrants visited Nepal in January 2018. The UN, other international organizations, and local NGOs continued to argue any ban on female migration increased the likelihood such women would migrate illegally and therefore heightened their vulnerability

to human trafficking. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training for all Nepali peacekeeping forces before deployment. Nepal is not a party to the 2000 UN TIP Protocol; however, during the reporting period, MWCSW finalized its study on the costs of acceding to the protocol and the home ministry forwarded to the Cabinet a recommendation to accede to the protocol.

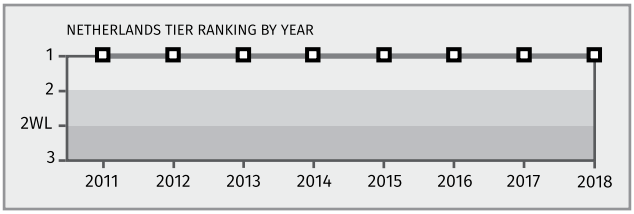
TRAFFICKING PROFILE

As reported over the past five years, Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Nepali women and girls are subjected to sex trafficking in Nepal, India, the Middle East, Asia, and Sub-Saharan Africa. Nepali men, women, and children are subjected to forced labor in Nepal, India, the Middle East, and Asia in construction, factories, mines, domestic work, begging, and the adult entertainment industry. Manpower agencies or individual employment brokers who engage in fraudulent recruitment practices and impose high fees may facilitate forced labor. Unregistered migrants—including the large number of Nepalis who travel through India or rely on unregistered recruiting agents—are particularly vulnerable to forced labor and sex trafficking. Some Nepali women who agree to arranged marriages through Nepali companies to men in China and South Korea may experience fraud and be vulnerable to domestic servitude in which their freedom of movement is restricted. Some migrants from Bangladesh, Sri Lanka, and possibly other countries transit Nepal en route to employment in the Middle East, using potentially falsified Nepali travel documents, and may be subjected to human trafficking. Some government officials reportedly accept bribes to include false information in Nepali identity documents or provide fraudulent documents to prospective labor migrants, a tactic used by unscrupulous recruiters to evade recruitment regulations.

Within Nepal, bonded labor exists in agriculture, brick kilns, the stone-breaking industry, and domestic work. Sex trafficking of Nepali women and girls increasingly takes place in private apartments, rented rooms, guest houses, and restaurants. Nepali and Indian children are subjected to forced labor in the country, especially in domestic work, brick kilns, and the embroidered textile, or zari, industry. Under false promises of education and work opportunities, Nepali parents give their children to brokers who instead take them to frequently unregistered children's homes in urban locations, where they are forced to pretend to be orphans to garner donations from tourists and volunteers; some of the children are also forced to beg on the street. Many Nepalis, including children, whose home or livelihood was destroyed by the 2015 earthquakes continue to be vulnerable to trafficking. Traffickers increasingly utilize social media and mobile technologies to lure and deceive their victims.

NETHERLANDS: TIER 1

The Government of the Netherlands fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the Netherlands remained on Tier 1. The government demonstrated serious and sustained efforts by investigating, prosecuting, and convicting a significant number of traffickers; increasing the number of convictions; and identifying a significant number of victims. The national rapporteur increased monitoring and evaluation of trafficking and law enforcement increased efforts to fight child sex tourism. Although the government meets the minimum standards, authorities identified fewer victims for the fourth consecutive year, did not uniformly offer the three-month reflection period to foreign victims, and the government did not report complete statistics for the reporting period.



RECOMMENDATIONS FOR THE NETHERLANDS

Increase efforts to identify victims and provide all potential trafficking victims with care services, regardless of their ability to cooperate with an investigation; improve data collection on sentences and victim identification; increase efforts to investigate, prosecute, convict, and sentence traffickers to penalties proportionate to the seriousness of the crime; finalize the national action plan; continue outreach to potential victims in labor sectors and identify forced labor; fill all regional victim care coordinator posts; pursue more covenants with business sectors to reduce the risk of human trafficking in supply chains; and improve mentoring of officials in Bonaire, St. Eustatius, and Saba to increase identification of victims and prosecution of traffickers.

PROSECUTION

The government maintained law enforcement efforts. Article 273f of the criminal code criminalized sex and labor trafficking, including forced begging and forced criminality, and prescribed punishments of up to 12 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, the police received 186 reports of possible human trafficking and arrested 141 trafficking suspects, compared with 184 and 220 respectively in 2016. In 2017, the government prosecuted 157 trafficking defendants, compared with 150 in 2016. The government convicted 127 on trafficking crimes in 2017, compared with 103 in 2016.

The government did not report complete sentencing data but confirmed several cases in which traffickers received strong sentences during the reporting period. For instance, in December 2017, a district court in Leeuwarden sentenced a man to five years in prison and a fine of €350,000 ($420,170) in compensation to two victims of forced prostitution. In July 2017, a court of appeals in The Hague convicted a woman to three years in prison for forced labor of a child in domestic servitude. In October 2017, a district court in Utrecht convicted four Bulgarian men for forced prostitution with prison sentences respectively of 23, 43, 53, and 64 months. Prosecutorial statistics did not disaggregate labor and sex trafficking cases, but according to the national rapporteur's 2016 official statistics, 25 percent of victims were subjected to forced labor. The government increased investigations of child sex tourists; most notably, the Dutch police coordinated with Nepalese authorities to arrest two suspects on trafficking charges. The government continued to participate in international investigations with Europol and led joint investigation teams with other EU

nations. Judges with trafficking-specific training heard all trafficking cases in 2017. The government allocated €2 million ($2,400,960) to train 30,000 first-line police officers on victim identification in 2018 and train 20 anti-trafficking investigators each year. Police officers' basic training included anti-trafficking courses, and anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In 2017, labor inspectors referred 12 cases for prosecution for forced labor, an increase from 10 in 2015. The government arrested a deputy chief prosecutor in the national prosecutor's office for soliciting a child; the investigation was ongoing.

PROTECTION

The government maintained efforts to protect victims. In 2016, the latest year for which these data were available, the government-funded national victim registration center and assistance coordinator registered 952 possible trafficking victims, a decrease from 1,150 in 2015. Of the 952 identified, 523 were victims of sex trafficking, 244 of labor trafficking and forced crime, 35 of both labor and sex trafficking, and 150 of uncategorized trafficking. Two-hundred and twenty seven of the victims were children. The top countries of victim origin in 2016 (in order of prevalence) were the Netherlands, Poland, Romania, Nigeria, and Bulgaria. The police reported identifying 462 victims; regional health care organizations, 240; labor inspectors, 38; military police, 12; and other organizations, 352. The number of registered victims identified continued to decline over the past four years, but government and civil society did not interpret this trend as a decrease in trafficking prevalence. Government officials and civil society reported that a shift in police resources away from trafficking to counterterrorism and a reorganization of the force, which led to a loss of accumulated trafficking expertise contributed to fewer victims being identified. In 2017, the national rapporteur conducted a multiple systems estimation study, which estimated 6,250 trafficking victims within the country.

The government-funded an extensive network of care facilities for both foreign and domestic victims. The government fully funded three NGO-managed shelters that provided dedicated services for child, adult females, and adult male trafficking victims. In 2017, the government provided €1.6 million ($1,920,770) to the shelters, a slight increase compared to 2016. However, from 2018 to 2021, the government proposed to allocate €800,000 ($960,380) to the three shelters each year, a reduction of 50 percent. Local governments also funded shelters for domestic violence victims, which had dedicated space for trafficking victims. The government did not provide data on the number of victims referred to care facilities, but over the past four years, only 960 of the 5,765 identified victims, or 16.7 percent, received services at the shelters. For victims to receive official designation as trafficking victims, their trafficker must be convicted in court; without this status, foreign victims could not obtain permanent residency, with some exceptions. NGOs reported non-EU victims were increasingly unwilling to report to the authorities under this condition as they were concerned with participating in a long court process, fearful of possible retribution from convicted traffickers due to light sentencing, and uncertain of obtaining permanent residency.

Each of the Netherlands' 35 health care regions was required to have one coordinator for trafficking to assist victims; however, in November 2017, media reported 16 of the 35 regions had not filled the position. The Royal Dutch Medical Association, upon recommendation from the rapporteur, adopted improved guidelines for doctors to identify victims without violating patient confidentiality. The government permitted potential victims to stay for a three-month reflection period to decide whether to assist law enforcement. The national rapporteur reported the three investigative agencies—the police, the military police, and the labor inspectorate—did not uniformly offer the three-month reflection period to foreign victims. In 2016, the most recent year data was available, 116 of the 584 foreign victims made use of the reflection period. During the reflection period, non-EU victims had access to specialized shelters, but were not permitted to work. After the reflection period, victims who agreed to assist police could continue to stay in shelters. All shelters provided medical and psychological care, schooling, language and skills training, and legal assistance; some also provided self-defense classes and most had facilities accessible to disabled individuals. Adult victims could leave shelters at will and unchaperoned, and authorities placed child victims in special shelters for children or in specialized foster homes. Several shelters were specifically designated for "lover-boy" trafficking victims.

Victims willing to testify against their alleged trafficker were eligible to receive a B-8 permit, a temporary residence permit for trafficking victims, if authorities decided to prosecute a suspected trafficker. Victims received permanent residency when the trafficker in their case was convicted or when they maintained B-8 status for three or more years. In 2016, 160 foreign victims applied for the B-8 permit. The national rapporteur reported about 75 percent of all foreign victims apply for the B-8 permit, but indicated this number was declining because more foreign victims applied for residency under asylum status. If a trafficker was not prosecuted or was acquitted in a victim's case, or if a potential victim did not want to assist the police investigation, the victim could apply for asylum. The government did not collect statistics on the number of potential victims who applied for asylum. Some NGOs criticized the B-8 process, reporting that residency contingent on prosecution and conviction can be detrimental to the victim. The government addressed this concern by creating the multi-disciplinary trafficking victimhood designation program, to better assess victims on a case-by-case basis; the program has received its first cases at the time of this report. Authorities worked with civil society to repatriate foreign victims unable to acquire residency permits. In addition to the new multi-disciplinary trafficking victimhood designation program, a procedure also existed to circumvent B-8 eligibility requirements for residency in cases where victims were seriously threatened or had serious medical or psychological conditions.

PREVENTION

The government maintained efforts to prevent trafficking. The government's national anti-trafficking action plan was under development at the close of the reporting period. The government's Human Trafficking Task Force, which was composed of local and national government authorities, the private sector, and NGO representatives, was extended with another three-year term until 2020. The government partially funded the implementation of an action plan developed by NGOs. The rapporteur published five reports during the reporting period addressing human trafficking trends and the government's response, and the Ministry of Security and Justice published two reports on the protection of victims of sexual crime and an evaluation of the rapporteur. The government continued several awareness campaigns with videos, websites, handouts, and school prevention curricula; the labor

inspectorate continued to focus on sectors with an elevated risk of exploitation. Teams of police, labor inspectors, and health care personnel continued to conduct brothel inspections, which included close observation for signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify trafficking victims and child sex tourism. The gold sector became the sixth sector to sign the government's Covenant on Reducing Human Rights Violations in Supply Chains. The number of textile sector signatories to the covenant increased from 55 to 65 in 2017. The government did not demonstrate efforts to reduce the demand for commercial sex. The government had a national plan against child sex tourism, and in cooperation with foreign governments screened potential child sex tourists at airports. The government provided anti-trafficking training assistance to foreign governments. The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. The ministry of foreign affairs reported one possible incident of labor exploitation by foreign diplomats, but made no arrests. The government provided training on trafficking to Dutch troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, the Netherlands is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. The largest group of identified victims are Dutch girls enticed by young male traffickers, known as "lover boys," who coerce vulnerable girls into sexual exploitation, often through a sham romantic relationship. Women and child refugees and asylum-seekers are vulnerable to sex trafficking. Men and women from Eastern Europe, Africa, and South and East Asia are subjected to labor trafficking in industries such as inland shipping, agriculture, horticulture, hospitality, domestic servitude, and forced criminal activity. Criminal groups force Romani children into pickpocketing and shoplifting rings, and refugees and asylum-seekers, including unaccompanied children, are vulnerable to labor trafficking. The Netherlands is a source country for child sex tourists.

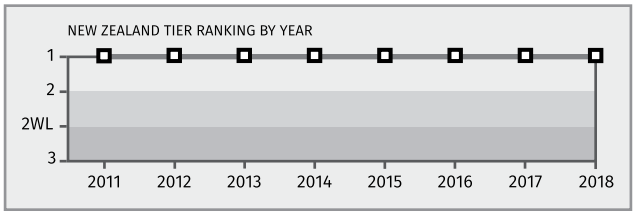
BONAIRE, ST. EUSTATIUS, AND SABA (BES)

The BES islands are municipalities of the Netherlands and a transit and destination area for men, women, and children subjected to sex trafficking and forced labor. Women in prostitution and unaccompanied children are highly vulnerable to trafficking. Local authorities believe men and women have been subjected to domestic servitude and forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

The BES criminal code criminalized both sex and labor trafficking under article 286f, prescribing penalties ranging from six to 15 years imprisonment. Authorities did not initiate any new trafficking investigations or prosecutions in 2017. The prosecution of Bonaire's first trafficking case, involving Colombian women in forced prostitution, was initiated in October 2012 and remained ongoing at the close of the reporting period. The mandate of the Netherlands' national rapporteur did not extend to the BES islands, so the office could not conduct local research. Local governments on the BES islands ran multi-disciplinary anti-trafficking teams, which cooperated with each other and with Dutch counterparts. Victims of violence, including human trafficking, were eligible for compensation from the Violent Offenses Compensation Fund.

NEW ZEALAND: TIER 1

The Government of New Zealand fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore New Zealand remained on Tier 1. The government demonstrated serious and sustained efforts by obtaining two trafficking convictions, increasing training for law enforcement, developing a new written framework for victim services, and increasing efforts to prevent trafficking, including by enforcing new regulations to prevent employers who breach employment laws from recruiting migrant workers. Although the government meets the minimum standards, it did not provide sufficient resources to increase trafficking investigations and prosecutions, convict any offenders under the trafficking statute, or formally identify child sex trafficking victims, despite providing services to child victims in prostitution.



RECOMMENDATIONS FOR NEW ZEALAND

Amend the trafficking statute to explicitly remove the possibility of a fine alone as a sentence for trafficking crimes and to define the sex trafficking of children as not requiring the use of deception or coercion; increase resources for anti-trafficking law enforcement; increase efforts to identify victims through proactive screening of vulnerable populations, including women and children in prostitution, foreign workers, and illegal migrants; update the national action plan to address current trafficking trends in the country; provide trafficking training to judges and prosecutors; expand anti-trafficking awareness campaigns; and engage in efforts to reduce demand for forced labor, including in supply chains, and commercial sex.

PROSECUTION

The government maintained law enforcement efforts. The Crimes Act of 1961, as amended, criminalized sex and labor trafficking. Inconsistent with international law, the trafficking provision of the Crimes Act, section 98D, required a demonstration of deception or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. However, section 98AA of the Crimes Act criminalized all forms of child sex trafficking under its "dealing in persons" provision. Section 98D prescribed sentences of up to 20 years imprisonment, which were sufficiently stringent penalties. While section 98D technically allowed for penalties resulting solely in a fine for sex trafficking of adults—which is not commensurate with penalties for other serious crimes, such as rape—the absence of recent trafficking convictions resulting solely in a fine, coupled with the Sentencing Act of 2002, indicated such penalties were not in fact permissible. Section 98AA also prescribed a maximum penalty of 14 years imprisonment for child sex trafficking, which was commensurate with the penalties imposed for rape.

During the reporting period, the government initiated three trafficking investigations, initiated prosecutions of six defendants, and obtained two convictions, compared to seven investigations, four prosecutions, and two convictions in the previous reporting period. The government pursued human trafficking charges against two defendants in one case involving forced labor, exploitation charges against one defendant, and prosecuted three defendants for child sex trafficking. The government convicted two restaurant owners on exploitation charges under the Immigration Act and sentenced them to 26 months imprisonment and eight months home detention, respectively, and ordered each to pay 7,200 New Zealand dollars ($5,120) in restitution. Authorities reported a lack of sufficient resources, as well as high evidentiary and procedural standards, resulted in prosecutors charging some suspected traffickers under different statutes, such as labor violations. The immigration department established a trafficking intelligence and prosecution unit. The government continued to train law enforcement officials on trafficking, and in 2018 included an anti-trafficking component within mandatory training for criminal investigators; it did not report training prosecutors or judiciary officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained victim protection efforts. It reported having standardized guidance to identify trafficking victims, but it identified only a small number of victims. The government completed a new operational framework to improve and guide the process of identification, referral, and provision of victim services for government officials. During the reporting period, the government identified two victims (compared with two in 2016) and one potential victim—two male victims of labor trafficking were formally identified and one child exploited in sex trafficking was provided services; however, the government did not identify the child as a victim of trafficking. The government provided services to victims identified in 2017 and continued to provide services for 18 victims of labor trafficking, compared to 37 victims assisted in 2016. The Ministry of Health issued written victim identification guidelines to medical providers throughout New Zealand in 2017. In addition to police, the government provided training for labor inspectors, immigration, and customs officials on victim identification and referral. Labor inspectors reported inspecting legal brothels to ensure working conditions complied with the law and conducting investigations and routine audits in work places that employed migrant workers. The government reported routinely providing assistance to child victims in prostitution, but did not formally identify any child victims of sex trafficking. Through arrangements with local community groups, the government provided temporary housing, food, clothing, and other services, as well as emergency grants in cases involving debt bondage. The law authorized the extension of temporary residence visas to foreign trafficking victims for up to 12 months, which also made them eligible for legal employment; the government issued such visas to labor trafficking victims identified during the reporting period. The government provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution. There were no reports of victims penalized for unlawful acts committed as a result of being subjected to trafficking; however, some may have been as a result of inadequate screening. For example, reports indicated immigration officials focused on the visa status violations of some exploited migrant workers rather than identifying them as victims and referring them to services, though the government denied these reports. Victims could seek restitution through civil claims, although no such civil claims were filed in 2017.

PREVENTION

The government increased efforts to prevent trafficking. Police, labor, and immigration officials led the government's anti-trafficking efforts under an anti-trafficking coordinator. The government initiated a review of its 2009 anti-trafficking action plan in early 2018; the lack of an updated plan reportedly impeded governmental efforts throughout the reporting period. Immigration New Zealand met with consultation groups, including NGOs, businesses, and other stakeholders to further its anti-trafficking efforts; however, these meetings did not result in significant outcomes during the reporting period. The government introduced regulations in April 2017 that banned employers who breach employment standards from recruiting migrant workers for periods of six to 24 months and publicly published a list of all offending employers. Since implementing these regulations, the government placed approximately 100 businesses on the list.

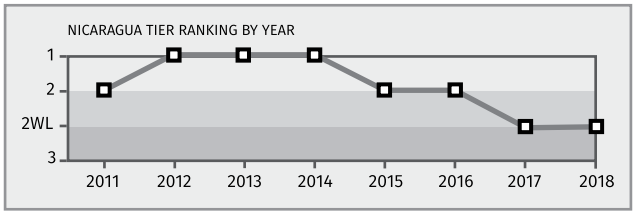
The government continued to distribute guides for employers recruiting Filipino workers and send welcome emails with workers' rights information to all approved residence, work, and student visa holders. In an attempt to reduce the demand for forced labor, the labour inspectorate established a unit to engage employers on increasing compliance with employment standards within their own supply chains, focusing on high-risk industries. The government also hosted forums with businesses, NGOs, and other civil society stakeholders to increase awareness and engage the private sector to combat trafficking in supply chains. The government conducted compliance tests of employment contracts used in work visa applications. The government did not make efforts to reduce the demand for commercial sex acts, which are decriminalized in New Zealand.

TRAFFICKING PROFILE

As reported over the past five years, New Zealand is a destination country for foreign men and women subjected to forced labor and sex trafficking and a source country for children subjected to sex trafficking within the country. Foreign men and women from the Pacific islands, China, India, the Philippines, Bangladesh, Sri Lanka, and Latin America are vulnerable to forced labor in New Zealand's agricultural, dairy, construction, viticulture, food service, and hospitality sectors, and as domestic workers. Unregulated and unlicensed immigration brokers operating in New Zealand and source countries, particularly in India and the Philippines, assist victims of labor exploitation in New Zealand obtain visas. Some foreign workers are charged excessive recruitment fees and experience unjustified salary deductions, non- or under-payment of wages, excessively long working hours, restrictions on their movement, passport retention, and contract alteration. Some migrant workers are forced to work in job conditions different from those promised during recruitment but do not file complaints due to fear of losing their temporary visas. Foreign workers aboard foreign-flagged fishing vessels in New Zealand waters are vulnerable to forced labor. Foreign women from Asia and South America are at risk of sex trafficking. Some international students and temporary visa holders are vulnerable to forced labor or prostitution. New Zealand girls and boys (often from minority communities) are at risk of sex trafficking. Some children are recruited by other girls or compelled by family members into sex trafficking.

NICARAGUA: TIER 2 WATCH LIST

The Government of Nicaragua does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by reactivating its national anti-trafficking coalition; investigating, prosecuting, and convicting traffickers; and providing limited victim services. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Continuing a multiyear trend, authorities identified fewer victims and prosecuted and convicted significantly fewer traffickers. The government decreased its already inadequate level of funding for victim services and did not cooperate with NGOs in victim assistance or in the national coalition. Prosecution, protection, and prevention efforts in the two Caribbean autonomous regions of Nicaragua continued to be much weaker than in the rest of the country. Therefore Nicaragua remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR NICARAGUA

Significantly increase efforts to investigate, prosecute, and convict traffickers; increase funding for victim protection, including through financing the trafficking fund, and provide specialized services for trafficking victims; develop and vigorously implement formal procedures for identifying victims among vulnerable populations and effectively refer victims to appropriate services; partner with NGOs to ensure victims receive long-term care and reintegration services; amend the 2014 anti-trafficking law to include a definition of human trafficking consistent with international law; increase training for government officials—including social workers, labor inspectors, and law enforcement officials—to facilitate increased victim identification and assistance, including securing restitution; strengthen law enforcement and victim protection efforts in the Caribbean Autonomous Regions, including through increased staff and funding; improve coordination and cooperation with NGOs, including by inviting NGOs to hold formal membership on both the national and local anti-trafficking coalitions; and publish the anti-trafficking national action plan and annually report on progress toward its objectives.

PROSECUTION

The government maintained minimal law enforcement efforts. The Law against Trafficking in Persons of 2015 criminalized sex and labor trafficking and prescribed penalties ranging from 10 to 15 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with the definition of trafficking under international law, the law established the use of force, coercion, or deceit as an aggravating factor rather than an essential element of the crime; the penalties increased to 16 to 18 years imprisonment for trafficking offenses involving these factors. The penalty for child trafficking increased to 19 to 20 years imprisonment. The law also defined trafficking broadly to include illegal adoption without the purpose of exploitation.

Authorities reported initiating five investigations in 2017—three sex trafficking and two forced labor—compared to eight sex trafficking investigations in 2016. The government prosecuted two suspects, compared to 13 in 2016. In 2017, the government convicted three traffickers, two for sex trafficking and one for forced begging, compared to nine convicted sex traffickers in 2016. In 2017, the two sex traffickers received prison sentences ranging from 19 to 20 years each. Observers reported weak rule of law and judicial corruption adversely affected legal proceedings in the country, including trafficking cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government trained investigators, prosecutors, judges, and other law enforcement officials on trafficking indicators. The government reported cooperating with two foreign governments involving Nicaraguan nationals, but did not report the results of this cooperation.

PROTECTION

The government maintained minimal protection efforts. The government identified 12 trafficking victims, including three adults, five girls, and four boys—six sex trafficking and six forced labor victims. This is compared with 13 in 2016, 30 in 2015, and 51 in 2014. The government provided 10 of these victims with temporary shelter, medical care, and legal assistance; NGOs provided two victims services. NGOs reported identifying and assisting 10 additional victims, including Nicaraguan and foreign men, women, and children exploited in both sex and labor trafficking. Authorities did not have formal procedures for identifying victims among vulnerable populations, such as individuals in prostitution, migrants, or working children. Officials identified fewer victims in the autonomous regions than other regions, where identification and referral mechanisms were lacking.

The government reported providing limited assistance for victims of gender-based violence, which included trafficking victims, but did not provide funding for specialized services or shelters. NGOs reported the government closed the offices of the specialized women's unit and its short-term shelters, which has led to challenges in coordination between the government and NGOs. There were no shelters available for men. The government did not provide long-term care, and the availability of extended services from NGOs was limited. The government did not provide funding to or collaborate with NGOs that provided the majority of victim protection, sometimes leaving victims without vital assistance. The government put some child victims at risk of re-victimization by placing them with family members who may have been complicit in their exploitation. Regions outside Managua most affected by human trafficking largely lacked adequate services.

Law 896 established a dedicated fund—to be financed through budget allocation, donations, and seized assets from traffickers—for victim protection and prevention activities. However, for the third year, the government did not make it operational. The Ministry of Family provided funding for services through its annual budget, but these appropriations decreased by 32 percent in 2017. Victims may obtain damages by filing civil suits against traffickers; however, the government and NGOs reported that in practice victims had never exercised this right. The government did not report assisting Nicaraguan victims through its diplomatic missions overseas despite evidence of

Nicaraguan victims of both sex trafficking and forced labor in Spain, Panama, and Costa Rica. Authorities sometimes detained victims for questioning, but there were no other reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking. The government reported screening for indicators of trafficking among migrant populations and those involved in prostitution, but failed to identify any labor trafficking victims or foreign victims. Nicaraguan law provided for humanitarian visas for foreign trafficking victims, but the government did not report granting any such visas in 2017.

PREVENTION

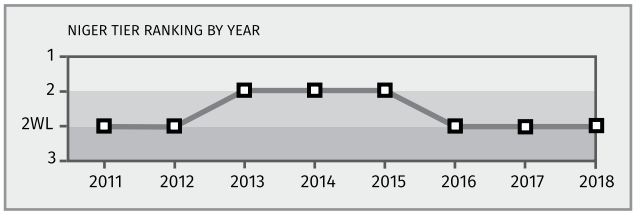
The government maintained some efforts to prevent trafficking. The government reactivated its national anti-trafficking coalition, but it lacked a legally required executive secretariat, and its various working groups did not cover all regional, departmental, and municipal jurisdictions. For a third consecutive year, the national coalition and its regional working groups did not meet with NGOs, despite requirements under Law 896 that the coalition include an NGO representative. The government reported it developed a national action plan, but did not publish the plan or otherwise provide its contents. The government reported it conducted research, monitored its efforts, met to track trends and cases, and provided a report of its activities to the National Assembly; however, it had not made its research or report public. The government reported it conducted and funded 511 prevention campaigns during the reporting period targeting students, faculty, parents, indigenous communities, and community leaders along border towns and tourism destinations. Some Nicaraguans could not easily obtain national identification cards, which increased their vulnerability to trafficking. The Ministry of Labor reported that it monitored private employment agencies, which must be registered under Nicaraguan law, but no cases of forced labor were identified. The government did not provide anti-trafficking training for its diplomatic personnel. Authorities did not investigate, prosecute, or convict any tourists for the purchase of commercial sex acts from children in 2017, although NGOs reported child sex tourism continued to be an issue in the country. The government made limited efforts to reduce the demand for commercial sex acts and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Nicaragua is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Nicaraguan women and children are subjected to sex trafficking within the country and in other Central American countries, Mexico, Spain, and the United States. Victims' family members are often complicit in their exploitation. Nicaraguan women and children are subjected to sex and labor trafficking in the two Caribbean Autonomous Regions, where the lack of strong law enforcement institutions and a higher crime rate increase the vulnerability of the local population. Nicaraguans from Northern-Central departments who migrate to other Central American countries and Europe are reportedly vulnerable to sex and labor trafficking. During the reporting period, Nicaraguans were reported as sex and labor trafficking victims in Panama and Spain. In addition, children left by these migrants in Nicaragua reportedly become vulnerable to sex and labor trafficking. Nicaraguan adults and children are subjected to forced labor in agriculture, construction, mining, the informal sector, and domestic service within the country and in Costa Rica, Panama, the United States, and other countries. Children in artisanal mining and quarrying are vulnerable to forced labor. Children and persons with disabilities are subjected to forced begging, particularly in Managua and near tourist centers. Male migrants from Central American countries transit Nicaragua en route to Panama in search of employment; some are subjected to labor trafficking in Panama. Nicaragua is a destination for child sex tourists from the United States, Canada, and Western Europe.

NIGER: TIER 2 WATCH LIST

The Government of Niger does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by reporting law enforcement and victim identification data for the first time in three years, increasing anti-trafficking training for law enforcement officials and judges, and expanding outreach and awareness programs that included civil society, religious leaders, journalists, and security forces. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report investigating, prosecuting, or convicting any individuals for traditional slavery practices. Victim protection services remained inadequate and the government has not formalized its standard operating procedures to identify or refer trafficking victims to care. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Niger was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Niger remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR NIGER

Vigorously investigate, prosecute, and convict traffickers, including those engaged in traditional slavery practices, using the 2010 anti-trafficking law; increase training for law enforcement and judicial officials throughout the country on the anti-trafficking law; increase coordination with regional, sub-regional, and international organizations to investigate and prosecute international trafficking cases, separate from smuggling cases; fully adopt and implement systematic procedures for the proactive identification of trafficking victims—especially among vulnerable populations, such as children exploited in sex trafficking, women and girls born into slave castes, and children at worksites—and their subsequent referral to care; direct the Ministry for the Promotion of Women and the Protection of Children to increase efforts to provide support to victims of trafficking, and more closely collaborate with NGOs; provide victims with information about their rights and support victims of trafficking, including forced labor and traditional slavery practices, in seeking redress from, and participating in the prosecution of, their traffickers; amend the law to increase penalties in the 2010 anti-trafficking law for trafficking of adults and in the penal code for forced child begging and child sex

trafficking, and remove the option of imposing a fine in lieu of jail time for forced labor crimes in the labor code; increase the quantity and quality of services available to victims; proactively identify and refer victims of traditional slavery practices to services; raise public awareness about the anti-trafficking law, specifically targeting vulnerable populations, religious leaders, and traditional chiefs; work with international organizations to draft and implement a revised national action plan to combat trafficking in persons; and develop a system among law enforcement, judicial officials, NGOs, and civil society actors to track suspected human trafficking cases and prosecution and protection data.

PROSECUTION

The government maintained prosecution efforts; it reported law enforcement statistics for the first time in three years. Order No.2012-86 on Combating Trafficking in Persons, enacted in 2010, criminalized sex and labor trafficking, including slavery, practices similar to slavery, and exploitative begging. This law prescribed sufficiently stringent punishments of five to 10 years imprisonment for committing trafficking offenses against adults and 10 to 30 years when the victim was a child. Penalties for child sex trafficking were commensurate with those prescribed for other serious crimes, such as rape, but those prescribed for sex trafficking of adults were not. Article 270 of the penal code also criminalized slavery and prescribed penalties of 10 to 30 years imprisonment. The labor code, enacted in September 2012, criminalized forced labor, prescribing penalties of two to five years imprisonment or a fine.

The government reported investigating 29 suspected traffickers, one prosecution, and no convictions during the reporting period, compared with zero reported investigations, prosecutions, or convictions during the previous two reporting periods. The government did not make progress in addressing impunity for *marabouts*, teachers at Quranic schools, who forced children to beg, or customary chiefs who facilitated traditional slavery practices, including the enslavement of children. There was a lack of access to justice for victims, as they were often uninformed about their legal rights and lacked the necessary capacities and resources to seek punitive action against their exploiters. There were no reported developments in pending slavery cases, some of which have reportedly been ongoing for years. A lack of judicial capacity and limited government budgets resulted in prosecutorial delays and unfulfilled victim protection requirements of the 2010 anti-trafficking law.

In 2017, the government trained police, prosecutors, and judges on the national trafficking law and victim protection. The government coordinated with INTERPOL in a regional anti-trafficking operation. During this operation, the National Agency for the Fight against Trafficking in Persons and the Illicit Transport of Migrants (ANLTP/TIM) reported that Nigerien law enforcement officials identified a fraudulent employment agency placing Nigerien women in Middle Eastern countries; the investigation of this agency remained ongoing at the end of the reporting period. ANLTP/TIM provided training and written materials to law enforcement personnel on proactive identification of trafficking victims. Additionally, two trainings in February 2017 involved 40 judges and focused on differentiating between human trafficking and migrant smuggling cases. A workshop in November 2017 in Niamey brought together 20 judges for an information exchange focused on prosecuting traffickers under current legal frameworks.

There were no investigations, prosecutions, or convictions of government officials for complicity in trafficking or trafficking-related criminal activities; however, corruption and official complicity in trafficking crimes remained concerns and may have impeded law enforcement action during the year. Extreme poverty across the country further exacerbated law enforcement challenges, as many border officials were reportedly not adequately resourced. The UN investigated Nigerien peacekeepers for sexual exploitation in two countries; investigators determined that Nigerien peacekeepers serving in an African nation sexually exploited two adults in 2015. The government did not provide an update on the outcomes of the two cases.

PROTECTION

The government increased efforts to identify victims, but protection efforts remained inadequate. The government did not compile comprehensive victim identification and assistance statistics, although it did leverage partnerships with international organizations to overcome resource constraints and provide services to victims. The Ministry of Justice (MOJ) reported identifying 108 victims in the course of law enforcement operations, a change from the lack of victim identification data reported by the government during the previous two reporting periods. The government did not report whether it referred these victims to care.

Authorities did not employ systematic measures to identify trafficking victims among vulnerable populations, such as women and girls born into traditional slave castes or children at worksites. ANLTP/TIM developed a national referral mechanism, which remained pending ratification by the National Assembly at the close of the reporting period. The government did not provide any specialized services for adult victims or victims of hereditary slavery. The government partnered with NGOs and international organizations to provide services to victims and provided in-kind support, including building space, land, and professional staff, to support an international organization in Agadez, and funded research related to traditional slavery with one NGO. International organizations and NGOs provided services to 193 trafficking victims, but had limited capacity to provide shelter or long-term services to all victims. Due to budget constraints, law enforcement officials commonly lacked resources to provide shelter and services, which decreased their ability to identify victims and reduced the government's ability to encourage victims of trafficking to assist in investigations and prosecutions.

Victims of forced labor and caste-based servitude could file civil and criminal complaints simultaneously; however, there were no reports they did so during the reporting period. The MOJ and the Office of the Administration of Prisons, with limited support from international organizations, operated treatment and transition centers for child soldiers formerly affiliated with Boko Haram and ISIS-West Africa. In 2017, 52 minors attended the center, and 51 had been reunited with their families. The MOJ provided limited vocational training and psychological support to children. There were no reports that the government penalized victims for unlawful acts committed as a result of being trafficked; however, some victims may have remained unidentified in the law enforcement system due to the failure to employ systematic measures to identify trafficking victims among vulnerable populations.

The law provided for the possibility of granting victims legal residency in Niger, including the ability to obtain employment, if it is unsafe for them to return to their countries of origin. The

ANLTP/TIM reported that Algeria deported more than 8,200 migrants to Niger, including 1,998 children, during the year. The government coordinated with an international organization to provide temporary shelter, food, and primary health care before assisting in the return of both Nigerien citizens and non-Nigeriens to their home regions and countries. The ANLTP/TIM identified 58 trafficking victims among the more than 8,200 migrants, but did not report providing services to those victims.

PREVENTION

The government marginally increased efforts to prevent trafficking. The National Coordinating Commission for the Fight against Trafficking in Persons continued to serve as the coordinating body for the government's anti-trafficking efforts, and the ANLTP/TIM was the government's permanent implementing body to address trafficking in persons, although budget constraints impeded anti-trafficking efforts. The ANLTP/TIM increased its public awareness campaigns and used multiple media platforms to familiarize the public with trafficking, and partnered with an Islamic cleric to address the common issue of *marabouts* using children for forced labor and begging, in addition to traditional slavery practices. The government increased public engagement around its annual September 28 anti-trafficking day events, which featured government officials on radio and television to raise awareness of the crime. The government may have shut down or charged labor recruiters or brokers who recruited workers with knowingly fraudulent offers of employment or job placement. The government took no discernible measures to address the demand for forced labor or commercial sex acts. The government was in the final year of its five-year national action plan to combat trafficking in persons, but implementation was an issue due to funding constraints.

The ANLTP/TIM expanded its national engagement with prosecutors' offices, improving its collection of trafficking statistics and law enforcement coordination across the country, and partnered with an international organization to study forced begging. The government did not take measures to establish the identity of local populations, although the majority of Nigeriens lacked valid identity documents, the lack of which increased individuals' vulnerability to trafficking. The government increased monitoring of its borders. Bylaws governing the armed forces required troops to receive anti-trafficking training prior to their deployment abroad on international peacekeeping missions and the government addressed such requirements through a program conducted by a foreign donor. The government did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

Niger is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Traditional slavery practices perpetuated by politically powerful tribal leaders continue primarily in the northern part of the country. No reliable estimate exists of the number of traditional slaves in the country, though a study in 2003 estimated traditional slavery may affect some 40,000 people.

Victims from West and Central Africa are exploited in sex and labor trafficking in Niger. Nigerien boys are subjected to forced labor, including forced begging, within the country and in neighboring countries, especially by corrupt *marabouts*. Loosely organized clandestine networks may also place Nigerien girls into domestic servitude. Nigerien children are subjected to forced labor in gold, salt, trona, and gypsum mines; agriculture; stone quarries; and manufacturing within the country. In the Tahoua region of Niger, girls born into slavery are sold or given as gifts to men as "fifth wives," a status in which they are subject to forced labor and sexual servitude, a practice known as *wahaya*; their children are then born into slave castes which perpetuates the cycle. Traditional chiefs play a primary role in this form of exploitation by arranging "marriages" for other powerful individuals. Some girls in forced marriages may be exploited in commercial sex after fleeing these nominal unions. In Algeria, Nigerien children are forced to beg and Nigerien women and girls are vulnerable to sex trafficking.

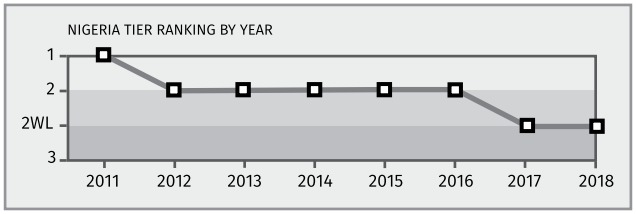
Nigerien women and children are recruited from Niger and transported to Nigeria, North Africa, the Middle East, and Europe where they are subjected to domestic servitude, sex trafficking, or forced labor in agriculture or animal herding. Some migrants were suspected to be traffickers, particularly Nigerien migrants to Algeria traveling with children unrelated to them. Traffickers operated primarily small, freelance operations in loosely organized networks of individuals. There have been reports of freelance businesspeople (both men and women) and informal travel agencies recruiting women for exploitation in sex trafficking or domestic servitude in the Middle East or northern Nigeria.

Niger is a transit country for men, women, and children from West and Central Africa migrating to North Africa and Western Europe, where some are subjected to forced labor or sex trafficking. Increasingly, West African migrants fall victim to traffickers while transiting Niger en route to Libya and Europe. Niger's implementation of its 2015 anti-smuggling law has forced the previously open (albeit illicit) transportation industry underground, which has increased migrants' vulnerability to forced labor or sex trafficking. Nigerian women are transported into neighboring West African countries, and are exploited in sex trafficking inside Niger, especially in northern mining cities or in transportation centers. In some instances, law enforcement and border officials reportedly accepted bribes from traffickers to facilitate the transportation of victims through the country. Boko Haram and ISIS-West Africa forcibly recruit Nigerien boys and girls to serve as child soldiers. According to several reports, the Government of Niger provided some limited material and logistical support within Niger to the Imghad Tuareg and Allies Self-Defense Group (GATIA). GAITIA has been reported to recruit and use child soldiers.

NIGERIA: TIER 2 WATCH LIST

The Government of Nigeria does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by disbursing significantly more funding to the National Agency for the Prohibition of Trafficking in Persons (NAPTIP); supporting the signing and implementation of a UN action plan to end and prevent the recruitment and use of children by the Civilian Joint Task Force (CJTF); with an international organization, beginning a screening and sensitization campaign to identify and prevent sexual exploitation and abuse of IDPs; and prosecuting three suspected traffickers for child forced begging, although judges ultimately acquitted them. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Despite persistent

and egregious reports of government employees complicit in human trafficking offenses, the government made negligible efforts to address the allegations, and the military generally denied such allegations without investigation. The Nigerian military continued to conduct on-the-ground coordination with the CJTF, a non-governmental self-defense militia that recruited and used children, and which received limited financial and material support from the Borno State government. In addition, the government failed to provide evidence that use of children in support roles in detention in the Giwa Barracks had ceased. The government has never reported an investigation, prosecution, or conviction—including of any government official—for child soldiering offenses. Sexual exploitation of women and girls displaced by Boko Haram and the Islamic State-West Africa (ISIS-WA) remained widespread, including by state security, military personnel, and CJTF, some of whom forced women and girls to provide commercial sex acts in exchange for food and freedom of movement inside IDP camps and others who fraudulently recruited female IDPs for jobs outside of IDP camps but transported them to military barracks for sexual exploitation by Nigerian military personnel. The Nigerian military continued to inappropriately detain, arrest, and interrogate female and child trafficking victims for alleged association with the insurgencies and did not provide trafficking victim protections. Therefore Nigeria remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR NIGERIA

Ensure the Nigerian military has ceased unlawful use of children, including in collaboration with CJTF, and investigate any reports of military personnel's use of children; work with CJTF and the UN to implement fully the child soldier action plan to remove all children from CJTF's ranks and, if it is not, cut provision of financial and in-kind support to CJTF; vigorously investigate, prosecute, and convict traffickers—including complicit officials, those who recruit and use child soldiers and sexually exploit IDPs, and labor traffickers, including those who force children to beg—and impose sufficiently stringent sentences involving imprisonment; expand existing efforts to identify trafficking victims among IDPs, investigate cases, and implement preventative measures; release those suspected child ex-combatants and women who are inappropriately detained, screen for trafficking among those detained, and provide appropriate care; further increase funding for NAPTIP, particularly to provide adequate victim care; increase investigations into forced begging in Quranic schools; finalize the draft protocol to hand children identified in armed conflict over to civilian authorities; implement programs for the disarmament, demobilization, and reintegration (DDR) of child ex-combatants that take into account their specific needs, and work with the Nigerian military and CJTF to implement these plans; increase training for judges on the 2015 law, specifically the provision prohibiting the issuance of fines in lieu of imprisonment; allow trafficking victims to obtain employment and move freely in and out of NAPTIP shelters; expand ongoing police and immigration training to include identifying trafficking victims among vulnerable populations, such as women in prostitution and young females traveling with non-family members; increase the capacity of Nigerian embassies to identify and provide assistance to victims abroad, including by providing replacement travel or identity documents free of charge; and provide pre-departure information for migrants on how to find assistance if exploited abroad.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts, but there were continued reports of, and negligible efforts to address, government officials complicit in human trafficking offenses. The Trafficking in Persons Law Enforcement and Administration Act, as amended in 2015, criminalized labor and sex trafficking and prescribed a minimum penalty of five years imprisonment and 1 million naira ($2,790) for both sex and labor trafficking; the minimum penalty for sex trafficking increased to seven years imprisonment if the case involved a child. These penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

NAPTIP received 662 cases for investigation, completed 116 investigations, prosecuted at least 43 suspects in 43 cases, and convicted 26 traffickers, compared with 654 cases for investigation, 24 prosecutions, and 23 convictions the previous reporting period. NAPTIP did not report how many investigations remained pending, led to prosecutions for other offenses, or had been dismissed at the end of the reporting period. NAPTIP reported newly initiating all 662 investigations during the reporting period but did not report the status of the 630 investigations it had initiated in the previous reporting period. Judges convicted most traffickers under the 2015 anti-trafficking law, although some judges also convicted traffickers under the 2003 anti-trafficking law. Prison sentences upon conviction ranged from six months to 15 years imprisonment. Despite a 2015 amendment that removed judges' ability to sentence traffickers with fines in lieu of imprisonment, Nigerian courts penalized seven traffickers with the option of a fine or imprisonment; this is an increase from the previous reporting period, when judges only penalized one trafficker with the option of a fine. Judges issued fines reportedly due to a lack of familiarity with the 2015 anti-trafficking law and at times due to corruption. The government convicted five labor traffickers, an increase from two labor trafficking convictions the previous reporting period but still not commensurate to the scale of the labor trafficking problem. NAPTIP prosecuted three alleged traffickers for child forced begging, having identified at least 175 child forced begging victims during the reporting period, but judges acquitted all three suspects. The government had convicted one trafficker for child forced begging the previous reporting period. Enforcement of the anti-trafficking law remained ineffective in many parts of the country, and while officials made efforts to address trafficking cases, insufficient resources hampered efforts. The government acknowledged many judges remained insufficiently familiar with the anti-trafficking law—including the provision requiring judges to prescribe sentences that include imprisonment—which hindered law enforcement efforts. In addition, the judiciary remained slow and corrupt generally, which impeded prosecutions and convictions of most crimes, including trafficking.

Widespread and pervasive corruption affected all levels of government and the security forces and undermined accountability for trafficking offenses; for example, one NGO reported a suspected trafficking case to police, but the police refused to investigate the case because the NGO did not pay a bribe. There were continued reports of egregious

trafficking offenses committed by government officials. Several international organizations and media reported that the sexual exploitation of IDPs in camps, settlements, and host communities around Maiduguri remained a pervasive problem. In more than 14 IDP camps, reports documented government officials, service providers, and security forces, including the Nigerian military and CJTF, who forced IDPs to have sex in exchange for food and freedom of movement in and outside of the camps. As previously reported by media, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking and new reports that the Nigerian military, CJTF, and other camp officials fraudulently recruited female IDPs for jobs outside of IDP camps but transported them to military barracks for sexual exploitation by Nigerian military personnel. Although NAPTIP reportedly investigated two cases of sexual exploitation of IDPs, which were identified through NAPTIP's sensitization and screening campaign, NAPTIP was unable to investigate or prosecute accusations of trafficking perpetrated by military or law enforcement personnel. The government did not report any prosecutions or convictions for sexual exploitation of IDPs, including children, and did not investigate, prosecute, or convict any government security officials, including military officials alleged to have exploited IDPs. In the previous reporting period, the government had arrested seven government officials and two CJTF members for alleged sexual misconduct towards IDPs, including sex trafficking. During the reporting period, however, no entity could provide information on the status of the investigations, including if they were ongoing, and several law enforcement entities denied knowledge of and responsibility for these cases. Furthermore, despite NAPTIP receiving reports of individual military personnel involved in trafficking crimes, the Nigerian Army categorically denied that any of its personnel used child soldiers or sexually exploited IDPs, which impeded investigation of such reports.

As reported by the Secretary-General of the UN, as of May 2016, Nigerian military personnel were using four boys between ages 14 and 16-years-old in support roles. At the close of the reporting period, there was no evidence the government had released these children. The CJTF also reportedly used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. The government did not report any investigations, prosecutions, or convictions for child soldiering offenses, including of government officials who committed such offenses. Both NAPTIP and the police reported addressing the crime of child soldiering was not within their mandates. NAPTIP arrested two immigration officials at Lagos International Airport for allegedly facilitating travel of six girls to Oman and Kuwait, purportedly for exploitation; the investigation was ongoing at the close of the reporting period. A foreign government reported to NAPTIP a Nigerian diplomat who attempted to secure a visa for their domestic employee by posing as a family member—an indicator of trafficking; neither NAPTIP nor the Ministry of Foreign Affairs reported conducting an investigation or taking disciplinary action against the suspect. The government continued an investigation from the previous reporting period of a Department of Petroleum Resources official allegedly complicit in a trafficking offense. There were reports 46 Nigerian soldiers deployed as UN peacekeepers to Liberia sexually exploited 58 women and children from 2003-2017, including in sex trafficking. Some trafficking victims in Libya reported Nigerian embassy officials in Tripoli asked for payment before removing victims from Libyan detention camps. For the fourth consecutive year, the government did not report any prosecutions or convictions of government employees complicit in human trafficking offenses, despite consistent reports of officials committing trafficking offenses each year. Despite 15 years of reports of significant government complicity in human trafficking offenses and trafficking-related corruption, the government has only reported convicting one official for complicity in human trafficking.

The government demonstrated significantly more sophisticated collaboration with foreign governments on anti-trafficking cases. It participated in joint investigations with nine countries and assisted 11 other countries through training courses, joint intelligence sharing, and mutual legal assistance on trafficking cases. Through the UK-Nigerian Joint Border Task Force, NAPTIP supported law enforcement to make significant arrests and prosecutions in multiple European countries and improved investigative capacity domestically. The government and a foreign donor trained officials and law enforcement academy instructors on identifying and investigating human trafficking. The government increased NAPTIP's budget by 86 percent over the previous year. Despite this increase, however, NAPTIP did not have sufficient resources given the scale of the problem. For example, the agency did not have resources to carry out sufficient proactive anti-trafficking operations, and NAPTIP officers were often concentrated in state capitals, which hindered identification and investigation of trafficking in rural areas.

PROTECTION

The government maintained efforts to identify and protect internal trafficking victims and increased efforts to assist Nigerians exploited abroad. The government identified 1,121 potential trafficking victims, including 538 people in prostitution, 203 child labor victims—some of whom were forced—and 188 forced labor victims. This was similar to 1,128 potential trafficking victims (529 people in prostitution, 165 child labor victims, and 434 forced labor victims) identified in the previous reporting period. NAPTIP provided initial care for all trafficking victims, which could have included referrals to government facilities for medical care, shelter, vocational training, or education assistance. NAPTIP did not report how many victims it referred to NGOs for additional care, compared to referring 302 victims to NGOs the previous reporting period. The government had formal written procedures to guide law enforcement, immigration, and social services personnel in proactive identification of trafficking victims among high-risk populations, and NAPTIP trained police, immigration, and social services personnel to identify trafficking victims and direct them to NAPTIP. Additionally, the government's national referral mechanism provided formal guidelines for law enforcement, immigration officials, and service providers to improve protection and assistance to trafficking victims, both within Nigeria and abroad. NAPTIP, in conjunction with an international organization, also developed a referral mechanism specifically for sex trafficking and sexual abuse victims in the Northeast.

The government allocated approximately 3.14 billion naira ($8.7 million) to NAPTIP in 2017, a significant increase from 1.69 billion naira ($4.7 million) allocated in 2016. The government disbursed at least 2.64 billion naira ($7.4 million) to NAPTIP during the reporting period, an increase from 1.48 billion naira ($4.1 million) disbursed in the previous reporting period. Although the law mandated NAPTIP to care solely for victims of crimes under the 2015 anti-trafficking law, the government

often referred victims of other crimes to NAPTIP, which reduced its capacity to care for trafficking victims. NAPTIP opened a new zonal command and victim shelter during the reporting period, increasing its total to 10 shelters for trafficking victims with a total capacity of 315, compared to nine shelters with a combined capacity of 313 the previous reporting period. NAPTIP required victims to go to its shelters for short-term care and determined how long victims were required to stay, while also requiring their support in law enforcement investigations. NAPTIP staff did not permit victims to leave shelters without a chaperone, which limited victims' freedom of movement and educational and work opportunities. Because NAPTIP operated closed shelters, it referred school-aged victims to foster care so they could attend school. NAPTIP generally limited victims' stays to six weeks, although victims could extend their stays under special circumstances; both men and women received specialized care. Through these shelters, NAPTIP provided access to legal, medical, and psychological services, as well as vocational training, financial empowerment, and business management skills. These shelters were also available to Nigerian trafficking victims exploited abroad upon repatriation. NAPTIP had agreements with certain hospitals and clinics to provide additional medical and psychological treatment for victims, as needed. Additional government and NGO shelters provided services, including long-term shelter, to vulnerable children and victims of crime, including trafficking; authorities sometimes assigned child trafficking victims to foster homes or orphanages for care. Foreign victims had access to the same services as domestic victims. In contrast with previous years, for the second consecutive year NAPTIP did not report providing funding, in-kind donations, or services to NGOs and other organizations that provided protection and services to trafficking victims. NAPTIP authorities sometimes deemed adults in prostitution, who claimed to be working voluntarily, trafficking victims and detained them in shelter facilities against their will.

In response to continued reports of sexual exploitation of IDPs in the Northeast, NAPTIP partnered with an international organization to create and implement a screening and sensitization campaign to identify sex trafficking victims. NAPTIP reached at least 14 camps in the Maiduguri area—including all 13 state-run IDP camps—with screening, sensitization, or both. In response to a large number of Nigerian migrants stranded in Libya, including some trafficking victims, the government created an inter-ministerial committee to facilitate repatriation and resettlement in Nigeria for those migrants; in January 2018, the government repatriated more than 1,501 Nigerians from Libya and, with funding from a foreign donor, provided some reintegration assistance. The influx of migrants returned from Libya, some of whom were trafficking victims, overwhelmed the shelter and service system, including NAPTIP facilities, and not all trafficking victims received care. During the reporting period, the governor of Edo State created the Edo State Task Force (ESTF), chaired by the state attorney general, to combat transnational trafficking of Nigerians to Europe in one of the regions of Nigeria most affected. Its mandate included investigation and prosecution of trafficking cases, alongside NAPTIP, and coordinating national and international actors' protection and reintegration efforts for returning trafficking victims. ESTF increased coordination among victim protection actors and screened some returnees from Libya for trafficking and referred the identified trafficking victims to NAPTIP facilities. The Edo State government allocated additional funding for victim protection, including 36,000 naira ($100) to 200 trafficking or smuggling victims repatriated from Libya. Several Nigerian embassies, particularly within West Africa, provided funding or in-kind support to repatriate Nigerian trafficking victims exploited abroad. Victims and activists, however, reported some Nigerian embassies did not always assist trafficking victims with removal from situations of exploitation or law enforcement efforts against their traffickers, which impeded access to care and justice. One Nigerian embassy reportedly stopped issuing identity documents to Nigerian trafficking victims seeking repatriation, which required NGOs and the host government to provide such documents and facilitate repatriation.

Although the anti-trafficking law prohibited the penalization of trafficking victims for unlawful acts committed as a result of being subjected to trafficking, multiple credible international organizations reported the government continued to arrest and in some cases inappropriately detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents; authorities did not screen for trafficking. The military, in cooperation with an international organization, released some adults and children from detention but also newly detained other children during the reporting period. The government began working with an international organization to develop standard procedures to refer children identified in armed conflict to civilian care providers. After release from detention, the military generally referred women and children classified through a security screening process as "low risk" or "inactive" in the conflict to a government-run rehabilitation center. While the process improved identification of potential trafficking victims among those detained, some trafficking victims—including women and children forced to be combatants—remained in the detention system and subject to criminal prosecution for crimes committed as a result of being subjected to trafficking. International organizations provided medical care, psycho-social support, education, and nutritional services through a 12-week rehabilitation program at the center. The government also had a separate 16-week deradicalization and rehabilitation program for individuals classified as both "low risk" and "surrendered." Some women and child ex-combatants participated in this program, in addition to men, and the project remained in development at the end of the reporting period. The government adopted a communique and national action plan on DDR for persons formerly associated with Boko Haram or ISIS-WA, including children.

Officials encouraged victims to assist in the investigation and prosecution of trafficking cases but did not report how many did so during the reporting period, compared with 43 victims who served as witnesses or gave evidence during trial in the previous reporting period. The government did not have a formal policy to prevent the removal of victims to countries where they would face hardship or retribution; there were no reports of trafficking victims removed to such countries during the reporting period. It could grant temporary residence visas to a trafficking victim that had a pending criminal, civil, or other legal action; the government did not report that any foreign victims requested this relief during the reporting period. The victims' trust fund, financed primarily through confiscated assets of convicted traffickers, was available to all victims. The government did not allocate any funding to or disburse funding from the fund during the reporting period, although overall spending on victim support through the normal budget process increased. In the previous reporting period, it had allocated 2.5 million naira ($6,960) to and disbursed 5.6 million naira ($15,600) from the fund to provide vocational training and school tuition to trafficking victims. The anti-trafficking law provided for victim restitution and allowed victims to file

civil suits against their traffickers. While NAPTIP prosecutors regularly sought restitution in trafficking cases, NAPTIP did not report successfully receiving restitution for victims in any cases, largely because judges were unfamiliar with that provision of the anti-trafficking law.

PREVENTION

The government increased efforts to prevent human trafficking. The government appointed a new director general of NAPTIP in April 2017, and NAPTIP continued to lead government efforts to combat trafficking. The inter-ministerial committee on trafficking met several times throughout the year and helped to develop national policies on trafficking, including the first draft of a Protocol for Identification, Safe Return, and Rehabilitation of Trafficked Persons. NAPTIP continued drafting a 2018-2023 national action plan, which was considered by the inter-ministerial committee. NAPTIP continued awareness campaigns at schools, churches, and transit centers, among other places, and significantly expanded media outreach via television and radio to educate the public on the identification and dangers of human trafficking. In response to reports that some individual government employees, service providers, and security officials sexually exploited female IDPs, NAPTIP and an international organization conducted a screening and sensitization campaign in IDP camps around Maiduguri, including all state-run camps, which reportedly led to the arrests of two alleged sex traffickers. NAPTIP also conducted outreach activities in IDP camps in Benue State for persons displaced by mass flooding and rural violence, worked with local celebrities and social media influencers to support the fight against human trafficking, and increased outreach to traditional community and religious leaders to address traffickers' use of the *juju* oath to coerce victims. After consistent engagement by Edo State government and NAPTIP officials, in March 2018 the Oba of Benin—the most powerful religious ruler in Benin City—issued a curse on sex traffickers and revoked all *juju* spells that had been administered by priests to bind victims to their traffickers, which could increase victim identification and victims' willingness to participate in trials against their traffickers. The government did not provide sufficient protections for workers employed in the informal economy—including children working in agriculture, domestic work, and artisanal mining—rendering such workers vulnerable to trafficking. In addition, despite identifying 606 child labor violations in 2017, which likely included child forced labor violations, NAPTIP only penalized and referred three exploiters for prosecution. Furthermore, at the close of the reporting period, none of the penalties imposed on the three penalized violators had actually been implemented. NAPTIP began, but did not complete, discussions on how to provide pre-departure information to migrants on available assistance if exploited abroad. The government did not make discernible efforts to reduce the demand for forced labor. To reduce the demand for commercial sex acts, several states maintained prohibitions on soliciting commercial sex. There were reports Nigerians traveled to Togo for child sex tourism.

The Borno State government continued to provide financial and in-kind resources to the CJTF, a non-governmental self-defense militia, which according to credible observers continued to use and recruit children. The Borno State government witnessed the signature of, and provided administrative support to help implement, an action plan between CJTF and an international organization to end CJTF's recruitment and use of children. The Nigerian government has publicly criticized and imposed restrictions on those who have portrayed the government in a negative light on human rights, including human trafficking. The government provided anti-trafficking training for its diplomatic personnel and, with foreign donor support, to Nigerian troops prior to their deployment abroad on international peacekeeping missions. A foreign government reported to NAPTIP a Nigerian diplomat suspected of attempted smuggling, trafficking, or both. There were reports that 46 Nigerian soldiers deployed on a UN peacekeeping mission to Liberia exploited 58 women and children, including in sex trafficking.

TRAFFICKING PROFILE

As reported over the past five years, Nigeria is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking, and a source country for men subjected to forced labor. Nigerian trafficking victims are recruited from rural areas—especially the country's southern regions—and, to a lesser extent, urban areas. Women and girls are victims of domestic servitude and sex trafficking, and boys are victims of forced and bonded labor in street vending, domestic service, mining, stone quarrying, agriculture, textile manufacturing, and begging. The government estimates as many as 9.5 million young boys studying in Quranic schools, commonly known as *Almajiri*, are subjected to forced begging. Traffickers operate "baby factories"—often disguised as orphanages, maternity homes, or religious centers—where traffickers hold women against their will, rape them, and force them to carry and deliver a child. The traffickers sell the children, sometimes with the intent to exploit them in forced labor and sex trafficking. In southern Nigeria, especially Lagos, some women drug and "rent" their infants out to street beggars to increase the beggars' profits; in at a least one case, an infant died from a drug overdose. Nigerian traffickers take women and children to other West and Central African countries—including Mali, Senegal, Cote d'Ivoire, and Cabo Verde—as well as to South Africa, where they are exploited in forced labor and sex trafficking. Nigerian women and children are recruited and transported to destinations in North Africa, the Middle East—including Saudi Arabia, Oman, and United Arab Emirates—and Central Asia, and held captive in commercial sexual exploitation or forced labor. West African children are subjected to forced labor in Nigeria, including in granite and gold mines. Women from West African countries transit Nigeria en route to Europe and the Middle East, where they are forced into prostitution. Nigeria's ports and waterways around Calabar are transit points for West African children subjected to forced labor in Cameroon, Equatorial Guinea, and Gabon. Nigerians travel to Togo for child sex tourism.

Authorities identified Nigerian trafficking victims—often exploited by Nigerian traffickers—in at least 40 countries during the reporting period. Nigerian women and girls are subjected to sex trafficking within Nigeria and throughout Europe, including in Italy, Spain, Austria, and Russia; an international organization estimated 80 percent of all female Nigerian migrants in Italy are or will become sex trafficking victims. In 2015, a foreign government reported that with the exception of internal trafficking within the EU, Nigerian nationals are the most common trafficking victims in the EU. The majority of Nigerian trafficking victims in Europe come from Edo State, via Libya. One local press report noted that traffickers recruit women and girls from IDP camps in Northeast Nigeria for ostensibly legitimate jobs in Italy but exploit them in prostitution in Italy. Nigerian sex traffickers operate in highly organized criminal webs throughout Europe, and many sex trafficking victims begin to work for their traffickers in exchange for leaving sex trafficking themselves. Before departure for work abroad, many Nigerian women participate in a traditional ceremony with a *juju* priest;

some traffickers exploit this tradition and tell the women they must obey their traffickers or a curse will harm them, which prevents victims from seeking assistance or cooperating with law enforcement. While some sex trafficking victims arrive in Europe believing they will be working in prostitution, traffickers coerce them to stay in prostitution by changing the working conditions and increasing victims' travel debts. Some victims' parents encourage them to obey their traffickers and endure exploitation to earn money. Nigerians are increasingly exploited in Libya—by both Libyans and Nigerians—in forced labor in construction, agriculture, and prostitution in Tripoli, Sabha, Benghazi, and Misrata. Lured by the promise of reaching Europe, traffickers keep victims in "control houses" or "prostitution camps" located on the outskirts of Tripoli and Misrata until they can repay travel debts; sometimes before victims repay the debt, traffickers sell them again. Some trafficking victims in Libya reported Nigerian embassy officials in Tripoli asked for payment before removing victims from Libyan detention camps. In 2017, an international organization repatriated more than 4,316 Nigerians from Libya, some of whom were trafficking victims or vulnerable to trafficking; 4,000 had departed from Edo State. There were reports of re-trafficking among the trafficking victims repatriated from Libya. A foreign government estimated as many as 20,000 Nigerians await repatriation from Libya, some of whom are trafficking victims. ISIS has captured Nigerian women and girls in Libya and exploited them in sexual slavery. Criminal gangs—some of whom might have had ties to so-called student cults—partner with organized crime networks to transport Nigerians to Europe for exploitation.

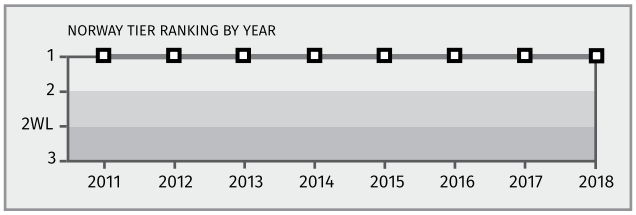
As in past years, reports continue to indicate government officials and security forces commit widespread sexual exploitation—including sex trafficking—and such exploitation is a major concern across the Northeast, including in informal IDP camps and all of the 13 formal, state-run IDP camps in and around Maiduguri, the Borno State capital, which hosts IDPs affected by the ongoing conflict with Boko Haram and ISIS-WA. "Gatekeepers" in control of some IDP camps, at times in collusion with Nigerian policemen and soldiers, reportedly force women and girls to provide sex acts in exchange for food and services in the camps. In July 2016, a Nigerian research organization surveyed 400 IDPs in Adamawa, Borno, and Yobe states, and 66 percent said camp officials sexually abused women and girls, some of which constitutes sex trafficking. As previously reported by media, there were continued reports that camp officials and members of security forces, including some individual Nigerian military personnel, used fraudulent or forced marriages to exploit girls in sex trafficking. Some Nigerian military personnel and CJTF members promised female IDPs jobs but instead took them to military barracks for sexual exploitation by Nigerian military personnel. Various NGOs and news outlets report that children in IDP camps are victims of labor and sex trafficking, and some alleged that government officials managing the camps are complicit in these activities. Media and an international organization reported Cameroonian soldiers coerced Nigerian female refugees in a Cameroon refugee camp to have sex in exchange for food or protection from deportation.

Boko Haram and ISIS-WA continued to forcibly recruit, abduct, and use child soldiers as young as 12-years-old as cooks, spies, messengers, bodyguards, armed combatants, and increasingly as suicide bombers in attacks in Nigeria, Cameroon, and Chad. In 2017, Boko Haram used at least 158 children as human bombers, significantly more than 19 used in all of 2016. The groups continue to abduct women and girls in the northern region of Nigeria, some of whom they subject to domestic servitude and forced labor. Boko Haram routinely forces girls to choose between forced marriages to its fighters—for the purpose of sexual slavery—or becoming suicide bombers. In some cases, Boko Haram forced child soldiers to marry one another. International organizations continue to express concerns about the arrest and detention of children by the Nigerian military for alleged association with Boko Haram. The government continued to arrest and, in some cases, inappropriately detain for prolonged periods, reportedly for screening and perceived intelligence value, women and children removed from or allegedly associated with Boko Haram and ISIS-WA, including women and girls who had been forcibly married to or sexually enslaved by the insurgents. For example, as previously reported, in 2016, the government detained and considered to be combatants at least 78 child trafficking victims aged 13-17-years-old.

As previously reported, the Nigerian military unlawfully used children as young as 12 years old in support roles such as messengers, porters, and guards and failed to provide evidence these activities had ceased. The Nigerian military interrogated children in detention for later use as collaborators to identify Boko Haram members among newly arrested persons. As reported by the Secretary-General of the UN, as of May 2016, Nigerian military personnel were using four boys between ages 14 and 16-years-old in support roles. At the close of the reporting period, there was no evidence the government had released these children. The Nigerian military also conducted on-the-ground coordination with the CJTF, a non-governmental self-defense militia that received state government funding and continued to recruit and use children in support roles. Media reported that the CJTF also used some child trafficking victims recovered from Boko Haram to lead CJTF and army personnel to Boko Haram camps, putting the children at serious risk for retaliation and denying them trafficking victim care. CJTF continued to recruit and use children. As previously reported, CJTF has recruited children as young as 12-years-old to man checkpoints, conduct patrols, search and arrest suspected insurgents, guard IDP camps, and gather intelligence, at times in collaboration with the Nigerian military. As of March 2018, CJTF and an international organization compiled a list of children potentially associated with CJTF and were in the process of interviewing the children and separating those associated with the group.

NORWAY: TIER 1

The Government of Norway fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Norway remained on Tier 1. The government demonstrated serious and sustained efforts by increasing prosecutions and convictions, referring more victims to care, and allocating more funding for victim assistance. Although the government meets the minimum standards, it continued to lack formal written victim identification procedures and a national victim referral mechanism. Legal procedures for appealing rejected asylum applications risked limiting identification of trafficking victims among asylum-seekers. Also, a lack of training and will among investigators, prosecutors, and judges to pursue complex trafficking cases has reportedly led many trafficking cases to be tried as lesser crimes—which leads to diminished rights for victims of trafficking—or not be prosecuted at all.



RECOMMENDATIONS FOR NORWAY

Increase training for investigators and prosecutors on compiling evidence, especially in labor trafficking cases, that goes beyond victim testimony; train prosecutors and judges on the application of penal codes 257 and 258; vigorously investigate, prosecute, and convict sex and labor traffickers; allocate earmarked resources for all police departments to investigate trafficking crimes; reassess national legislation limiting the period for appealing rejected asylum decisions to allow sufficient time for identifying victims of trafficking; complete a comprehensive national referral mechanism (NRM) that receives adequate input from NGOs and defines procedures and roles of all relevant government agencies and front-line actors; create national written victim identification procedures; complete a comprehensive statistical system on trafficking data, including victim identification and assistance as well as investigation, prosecution, conviction and victim compensation data; proactively screen foreigners and asylum-seekers in detention for indicators of trafficking prior to their deportation; and produce public awareness campaigns on trafficking.

PROSECUTION

The government maintained law enforcement efforts. Sections 257 and 258 of the penal code criminalized labor and sex trafficking and prescribed penalties of up to six years imprisonment for offenses involving adult victims and up to 10 years imprisonment for those involving child victims. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Authorities initiated 46 investigations (30 sex trafficking cases and 16 labor trafficking cases), compared with 46 (42 sex trafficking cases and four labor trafficking cases) in 2016. The government reported 13 concluded prosecutions, compared with seven in 2016. Authorities convicted 11 traffickers in six cases (four sex trafficking and two labor trafficking) —with five traffickers convicted in appeals and six traffickers convicted through district courts. In 2016, four individuals were convicted in four cases (three sex trafficking and one labor trafficking)—two in appeals and two through district courts. All of the convicted traffickers in the 2017 reporting period were sentenced to one year imprisonment or more. In one high-profile case involving 13 Norwegian nationals accused of trafficking 12 Pakistani citizens, the court postponed making its decision and the case remained pending at the close of the reporting period.

In 2017, the National Criminal Investigation Service conducted a national seminar on trafficking, utilizing a new standardized training curriculum developed at the end of the prior reporting period, for police officers that did not have experience working on trafficking crimes. In 2015, the government earmarked 15 million kroner ($1.8 million) annually for the establishment of anti-trafficking units in all 12 districts in Norway. Funds were allocated for five of these police districts as of 2016; the government did not report providing any of this funding in 2017. The Bergen police maintained a specialized unit dedicated to combating trafficking, yet reports alleged its efforts to investigate trafficking and collaboration with NGOs decreased. GRETA's most recent report indicated that while the Coordination Unit for Victims of Human Trafficking (KOM)—responsible for overseeing coordination among all organizations and authorities who address trafficking—held numerous presentations and lectures annually, more specific trainings on different aspects of trafficking, such as rights of victims and investigations, should increase. Many police districts did not have prosecutors with specialized training in trafficking cases; as a result, prosecutors sometimes brought pimping charges in trafficking cases when the accused trafficker used forms of force, fraud, or coercion other than physical violence. In these cases, victims were not automatically provided the benefits given under the trafficking laws, and convicted offenders could receive penalties that were not dissuasive or proportionate to the crime. Even when trafficking perpetrators were prosecuted for pimping, if authorities believed there might have been elements of trafficking associated with the crime, the victims have sometimes been eligible for a residence permit. With a residence permit, victims were entitled to social benefits such as financial support and welfare services. A government report found a large number of trafficking cases that were investigated were not prosecuted, due in part to limitation on prosecutorial capacity and training to deal with trafficking cases, as well as investigators relying solely on victims' testimonies without additional evidence that would help support successful prosecutions; this could discourage potential victims from reporting their trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government decreased protection efforts. The government began creating a comprehensive statistical system, per a recommendation from GRETA, on trafficking statistics including victim identification and assistance data. As a result, the government did not report how many victims it identified or assisted in 2017; the government identified and provided services for 262 trafficking victims in 2016. In 2017, the government's ROSA project (re-establishment, organizing safe places to stay, security, assistance) received 38 victim referrals from government agencies, compared with 13 victim referrals in 2016. The government did not have any formal written identification procedures, but government agencies that came into contact with potential victims often referred to KOM's national guidelines on how to identify and refer potential victims. The government provided protection to trafficking victims through municipal crisis centers and government-funded NGOs. These NGOs provided foreign and domestic victims with shelter, legal aid, stipends for food, psychological care, medical assistance, fitness facilities, and Norwegian language classes. ROSA provided training to both airport and border police on victim identification during the reporting period.

Additionally, ROSA managed a 24-hour hotline for potential victims and continued seeing an increase in calls, particularly from potential labor trafficking victims. ROSA received 118 initial contacts from possible victims through their hotline, compared with 97 contacts in 2016. The contrast in numbers is a result of the type of assistance needed once contact is made with ROSA. Of the 118 making initial contact, 45 ultimately accepted shelter, compared to 40 in 2016. In 2017, Parliament earmarked 20 million kroner ($2.4 million) in grant schemes to NGOs, exclusively for measures to prevent trafficking and support victims. ROSA remained the largest project exclusively intended

to assist victims of trafficking and received 6.2 million kroner ($756,470) in government funding. Various NGOs received grants of the remaining 13.9 million kroner ($1.7 million) to operate shelters, including one for male victims. Another publicly supported NGO assisted sex trafficking victims who had been granted a reflection period with vocational programs and sponsored internships. Child Welfare Services provided specialized care to child victims, including accommodation in a child protection institution or a foster home. Foreign victims had the same access to care as domestic victims, but their knowledge of available care and services may have been more limited. KOM did not collect detailed statistics on child trafficking victims, as child victims are under care of the Child Welfare Service. GRETA previously reported Norwegian border officials did not adequately identify potential victims. Experts observed the police were under pressure to deport individuals without legal status and often pursued deportation without screening for indicators of trafficking, particularly among individuals in prostitution.

The government did not have a national referral mechanism (NRM), but KOM and the MOJ were developing one during the reporting period. Observers expressed concern the proposed NRM and identification procedures would be under the labor and welfare administration agency, an agency with minimal experience and knowledge on how to deal with victims, or of trafficking trends in general. Additionally, the proposed NRM would reduce the reflection period for victims from six months to 45 days, raising the fear that victims would not seek assistance or file a report with police, and authorities would deport victims without proper screening. NGOs had limited engagement with MOJ in the planning process for the NRM; GRETA's recent report recommended that the government give NGOs a larger role in decisions concerning victims of trafficking. Authorities granted a six-month reflection period to eight victims and limited residence permits, up to 12 months, to 15 victims in 2017, compared with 24 and 23, respectively, in 2016. Victims were required to file a formal complaint to police and assist authorities on their trafficking investigation in order to be eligible for the limited residence permits. Ten possible victims were granted residence permits due to compelling humanitarian considerations or a particular connection to Norway during the reporting period. Reports claimed that fewer residence permits were issued to victims on the basis of human trafficking, which diminished the victims' status as a trafficking victim and hindered the ability to fully understand the scale of trafficking in-country. Observers expressed concern over the lack of communication between police and immigration authorities, resulting in the deportation of victims who may have merited temporary residency or whose country of origin were conflict-ridden or left victims susceptible to threats of violence. GRETA raised concerns that new amendments to asylum legislation, shortening deadlines for asylum-seekers to appeal a rejected application from three weeks to one week, risked limiting the possibilities for identifying victims of trafficking among asylum-seekers. Forced labor victims who were material witnesses against a former employer could obtain other employment while awaiting trial and are eligible to leave the country before trial proceedings. Victims facing retribution or hardship in their countries of origin could apply for asylum after law enforcement no longer required their assistance; seven victims received asylum status in 2017 (17 in 2016).

PREVENTION

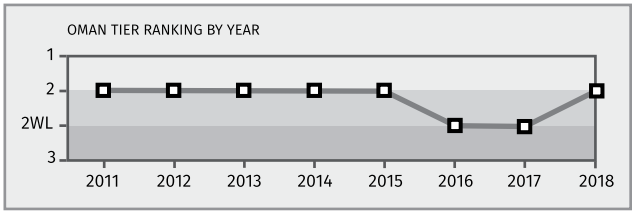
The government maintained modest prevention efforts. Norway continued to implement measures from the anti-trafficking action plan. The government did not fund any information campaigns targeted towards potential trafficking victims in 2017. The government raised awareness among employers about regulations for employing migrants, as well as notifying the public to refrain from using abnormally cheap services, in an attempt to combat forced labor. The government did not report any specific measures to reduce the demand for commercial sex. The government prosecuted and convicted some citizens who committed online sexual exploitation of children in Norway and foreign countries; the government reported criminally charging 84 Norwegians as a result of these investigations since 2016. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Norway is a destination and, to a lesser extent, transit and source country for women and girls subjected to sex trafficking, and for men and women subjected to forced labor in domestic service, cleaning, and construction. Children are subjected to domestic servitude, forced begging, and forced criminal activity, such as shoplifting and drug sales. Trafficking victims identified in Norway primarily originate from Eastern Europe and Africa—particularly Bulgaria, Lithuania, Nigeria, and Romania, as well as victims from Pakistan and the Philippines. Foreign au pairs are vulnerable to trafficking in Norway. Some unaccompanied children, who applied for asylum or disappeared from asylum centers were subjected to trafficking by organized trafficking groups.

OMAN: TIER 2

The Government of Oman does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Oman was upgraded to Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more suspected traffickers and standing up a specialized anti-trafficking prosecutorial unit, in addition to identifying more victims and providing them with robust care. The government also developed, funded, and began implementing a new five-year national action plan, which included funding a full-time liaison between relevant agencies to facilitate a whole-of-government effort. It also promulgated its first-ever national public awareness campaign. However, the government did not meet the minimum standards in several key areas. The government continued to process some potential labor trafficking cases through mediation in labor courts rather than criminally investigating and prosecuting them. Officials remained without standardized mechanisms for the proactive identification of trafficking victims among vulnerable groups, relying on victims to self-identify, and only referred victims to protective services if they filed cases with the public prosecutor.



RECOMMENDATIONS FOR OMAN

Continue to increase efforts to investigate, prosecute, and convict traffickers, especially for forced labor offenses; expand labor law protections to, and enforce legal protections for, domestic workers; amend the sponsorship-based employment scheme that renders expatriate workers vulnerable to exploitative labor; institute formal procedures to identify trafficking victims among vulnerable populations, such as migrant workers and people in prostitution; refer suspected trafficking victims to the government shelter, regardless of whether they file charges against, or there is a corresponding prosecution of, an alleged offender; repeal the restrictions on victim referrals to allow broader victim access to shelter care; impose dissuasive penalties on employers who withhold their employees' passports; fully utilize the newly launched, specialized unit to prosecute trafficking crimes, and continue to expand trainings for officials involved in criminal investigations and judicial proceedings; fully implement the national action plan; continue to broaden public awareness campaigns.

PROSECUTION

The government increased its anti-trafficking law enforcement efforts. While the government increased investigations, prosecutions, and convictions, its efforts to criminally prosecute forced labor crimes remained weak. Oman's 2008 anti-trafficking law criminalized labor and sex trafficking and prescribed punishments of three to seven years imprisonment and a fine between 5,000 and 100,000 Omani rial ($12,990-$259,740) for offenses involving adult victims and seven to 15 years imprisonment and a minimum fine of 10,000 Omani rial ($25,970) for offenses involving child victims. These punishments were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Ministry of Manpower (MoM) circular No.2/2006 prohibited employers from withholding migrant workers' passports but did not specify penalties for noncompliance.

The government reported investigating nine alleged human trafficking cases—six sex trafficking and three for forced labor—as compared to only one sex trafficking case and one forced labor case investigated during the previous reporting period. It prosecuted three cases involving 12 defendants, all of whom reportedly faced trial; in 2016, the government prosecuted nine defendants whose verdicts were inconclusive at the close of the year. The government achieved 12 trafficking convictions—a marked increase from zero the previous two years. Officials sentenced three defendants to ten years imprisonment and a fine of 10,000 Omani rial ($25,970) for sex trafficking; the government convicted the remaining nine of labor trafficking, but all nine awaited sentencing at the end of the reporting period. In late 2017, the public prosecutor's office created a specialized unit to handle all trafficking cases in order to expedite their processing and ensure the defendants were criminally prosecuted and sufficiently punished as traffickers; the government did not report whether this division led the prosecution of any cases. Although it made a notable improvement during the year, the government continued to treat some forced labor cases as labor law violations rather than criminal offenses. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The MoM received roughly 4,500 cases of passport retention during the reporting year, in comparison to 332 cases in 2016; it did not investigate these cases as potential labor trafficking crimes but rather settled via dispute mediation.

During the reporting period, the government provided venues, catering, and in-kind support totaling approximately 25,000 Omani rial ($64,940) for numerous anti-trafficking training initiatives facilitated by an international organization and led by recognized trafficking experts, effectively reaching more than 420 government officials. The public prosecutor's office provided analogous support totaling 5,000 Omani rial ($12,990) to offset the training costs supported by a foreign donor pertaining to trafficking prosecutions; this targeted training reached 51 prosecutors across three separate sessions during the reporting period. Justice officials added three courses to its curriculum related to trafficking and conducted one training during the year involving 25 judges and prosecutorial personnel, which cost roughly 1,000 Omani rial ($2,600). The Royal Oman Police continued to train all incoming cadets on the legal framework for trafficking and related crimes, victim identification, and mechanisms for transferring potential cases to court.

PROTECTION

The government improved its efforts to identify and protect victims, although institutional constraints continued to impede robust victim protection services. The government reported identifying and referring to its shelter 24 trafficking victims—including 19 for forced labor—compared to 15 total in the previous reporting period. However, it continued to largely rely on victims to self-identify and report abuses to authorities, and victims could only obtain government-provided services if the public prosecutor filed a case and issued a referral for them. Some source-country embassies in Oman offered victim services for their nationals. As the labor law does not adequately cover domestic workers, authorities continued to treat some potential domestic servitude cases as labor violations, and did not readily identify potential victims of domestic servitude. Although the government lacked formalized identification and referral procedures, it became more proficient at proactively screening—on an ad hoc basis—for potential sex trafficking victims, particularly among persons in prostitution, during the reporting period. Expatriate workers, whose legal status continued to be tied to employment, could be compelled to work for lower or no wages under the credible threat of deportation by their respective employers. Additionally, labor regulations continued to require an employer to provide a "no objection" certificate to an expatriate employee to seek a job with a new employer in Oman; employers who charged a month's salary or more to administer this certificate continued to be a common, although illegal, practice across the Sultanate.

During the reporting period, the government operated, and allocated 191,860 Omani rial ($498,340) to its permanent shelter, and overarching victim care, which could accommodate up to 50 women and child victims of forced labor, sex trafficking, or other types of abuse. The shelter provided lodging, psychological counseling, legal support, monetary stipends, recreational opportunities, rehabilitation activities, resiliency training, and medical care to victims. Victims in the shelter were only permitted to leave the premises with a chaperone, allegedly to deter reprisal from traffickers. The government did not provide shelter services for male or child victims during the reporting period. Victims were permitted and encouraged to stay in Oman for the duration of court proceedings against traffickers; however, they were not permitted to work or integrate into society in the interim, and given protracted court cases coupled with prolonged unemployment they were thereby disincentivized from participating in trials. The government provided foreign victims with legal alternatives to removal to countries in which they may face retribution or hardship;

however, it did not report if any victims benefited from this policy.

PREVENTION

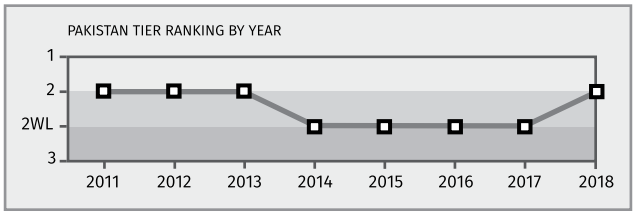
The government significantly expanded its efforts to prevent human trafficking. During the reporting period, the government drafted, approved as official policy, funded the enumerated activities, and commenced implementation of various elements of a new 2018-2022 national action plan. For the first time in Oman's history, officials launched a national awareness campaign that focused on trafficking issues relevant in the country; the campaign lasted six months with an operating budget of 20,000 Omani rial ($51,950). It involved large advertisements in six languages (English, Arabic, Urdu, Hindi, Bahasa, and Bangla) posted in 22 areas throughout the Muscat governorate, including the Muscat international airport, and also targeted embassies of prominent labor-sending countries such as India, the Philippines, Nepal, and Indonesia, in addition to hotels and high schools. Magazines and newspapers also featured the campaign. The government reported the significant increase in passport retention cases was linked to the success of the national awareness campaign, which sought to educate vulnerable workers about their rights. Throughout the year, the Ministry of Foreign Affairs continued to fund an international expert on combating trafficking to assist the government in standing up a task force focused on victim-centered investigations and to guide Omani interagency entities on training, legislative improvements, and enhanced information-gathering techniques. In 2017, the MoM held more than 650 trafficking-related outreach events targeting companies to educate them about worker rights; these events highlighted the anti-trafficking law's harsh sentences in an effort to dissuade employers from engaging or being complicit in labor trafficking crimes. The police maintained the government's main trafficking hotline, and its phone number was displayed on all promotional materials related to the new aforementioned awareness campaign. The MoM had a labor violation hotline, and the government shelter operated one that served as an all-purpose victim's helpline. All hotlines were active year-round and staffed with Arabic and English interpreters, and Urdu, Hindi, and Bangla-speaking contractors were on-call; the government did not report the number of calls any line received during the reporting period. The government reported having memoranda of understanding with Iran, India, Bangladesh, Sri Lanka, Vietnam, Syria, Palestine, Egypt, and Morocco; some included articles prohibiting unlawful labor recruitment and trafficking. During the reporting period, authorities inspected more than 4,800 establishments to ensure compliance with labor law provisions. The government did not report efforts to reduce the demand for commercial sex acts. It provided anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Oman is a destination, and to a lesser extent, transit country for trafficking victims. Oman's migrant worker community hails primarily from Bangladesh, India, Pakistan, Sri Lanka, and the Philippines. However, under Omanization during the reporting period, a series of labor-related policies designed to prioritize Omanis for employment over expatriates, the number of migrant workers in Oman in every sector declined for the first time in eight years. Male victims are generally from South Asia and more susceptible to forced labor. Female victims are predominantly from South, Southeast, and East Asia and East Africa and vulnerable to forced labor and sex trafficking. Expatriate workers seeking low-wage jobs continue to be at risk for trafficking under the visa-sponsorship employment system in Oman, which permits individuals' recruitment agency and/or Omani visa sponsor significant unilateral control over their freedom of movement. Trafficking victims typically migrate to Oman willingly and legally, with men seeking employment in construction, agricultural, and service sectors, while women often seek domestic worker jobs. Some unscrupulous recruitment agencies in Oman and their sub-agents in labor-sending countries mislead migrant workers in their respective countries of origin to accept work that upon arrival actually constitutes forced labor; conditions of forced labor include excessive work hours, passport confiscation, non-payment of wages, food deprivation, and psychological and sexual abuse. Such dishonest agencies provide fraudulent employment contracts with fictitious wages and charge workers exorbitant recruitment fees with high interest rates. Employers sometimes compel the foreign worker to repay the hiring costs, such as recruitment fees, and are reluctant to release them until such costs are recouped. These practices can render workers vulnerable to trafficking. Oman is a destination and transit country for some women from Southeast and East Asia who are exploited in sex trafficking. Domestic workers who flee their employers are also vulnerable to forced prostitution.

PAKISTAN: TIER 2

The Government of Pakistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Pakistan was upgraded to Tier 2. The government demonstrated increasing efforts by increasing the number of victims it identified and investigations and prosecutions of sex trafficking. The provincial government of Punjab increased investigations, prosecutions, and convictions for bonded labor, the country's largest human trafficking problem. The government of Azad Jammu and Kashmir adopted a law prohibiting bonded labor. The governments of Khyber Pakhtunkhwa and Sindh reported operating two additional women's shelters and three additional child protection units, respectively. The government continued to implement its 2015-2020 national strategic framework against trafficking in persons and migrant smuggling. However, the government did not meet the minimum standards in several key areas. Overall government law enforcement efforts on labor trafficking remained inadequate compared with the scale of the problem; Punjab continued to be the only province to report prosecutions and convictions for bonded labor. Convictions for sex trafficking decreased and the government's overall convictions remained small compared with the extent of trafficking in Pakistan. Official complicity in trafficking crimes remained a pervasive problem, yet the government did not report new law enforcement efforts to hold such officials accountable, including failing to investigate serious allegations of trafficking regarding a high-ranking diplomatic official. Government protection efforts remained inconsistent; only a small number of the total victims identified were referred to assistance services.



RECOMMENDATIONS FOR PAKISTAN

Increase prosecutions and convictions, particularly of forced and bonded labor, while strictly respecting due process; pass an anti-trafficking law that criminalizes all forms of human trafficking, including sex trafficking of those under 18 without requiring coercive means, and prescribes penalties commensurate with other serious crimes, such as rape; thoroughly investigate credible allegations of government complicity in trafficking and stringently prosecute and punish officials who are complicit; provide additional resources to increase trafficking-specific services for victims, including for men and boys, and ensure victims are not penalized for acts committed as a result of being subjected to trafficking; ensure the creation, dissemination, and use of standard operating procedures (SOPs) for victim identification and referral to rehabilitation services at the provincial level; expand ability for freed bonded laborers to obtain identification documents and gain access to government services; take steps to eliminate all recruitment fees charged to workers; issue policies and provide trainings to government officials that clearly distinguish between human trafficking and migrant smuggling; strengthen the capacity of provincial governments to address human trafficking, including bonded labor, through training, awareness raising, funding, and encouraging the creation of coordination task forces and the adoption of provincial-level anti-trafficking action plans; lift current bans on female migration to discourage migration through undocumented channels; improve efforts to collect, analyze, and accurately report anti-trafficking data, distinct from data on smuggling; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained law enforcement efforts against trafficking. Pakistani law did not criminalize all forms of sex and labor trafficking. Section 369A of the Pakistan Penal Code (PPC) amended in March 2016, criminalized transnational and internal forced labor and transnational and internal sex trafficking of women and children. Inconsistent with international law, Section 369A required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Section 369A prescribed penalties ranging from five to seven years imprisonment, or a fine between 500,000 and 700,000 Pakistani rupees (PKR) ($4,530 and $6,340), or both. These penalties were sufficiently stringent but, with respect to sex trafficking, were not commensurate with those prescribed for other serious crimes, such as rape. Several other sections of the PPC criminalized some forms of human trafficking, such as slavery and selling or buying a minor for the purpose of prostitution; maximum penalties for these offenses range from a maximum of five years to life imprisonment. These prescribed penalties were sufficiently stringent and, with regard to sex trafficking, were commensurate with those prescribed for other serious crimes, such as rape. Transnational sex and labor trafficking offenses, as well as some non-trafficking crimes such as migrant smuggling and fraudulent adoption, were criminalized in the Prevention and Control of Human Trafficking Ordinance (PACHTO), which prescribed penalties of seven to 14 years imprisonment. Prescribed penalties for PACHTO offenses were sufficiently stringent and with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Bonded Labor System (Abolition) Act (BLSA) criminalized bonded labor, with prescribed penalties ranging from two to five years imprisonment, a fine, or both; these penalties were sufficiently stringent. Most of the provincial governments have adopted their own labor laws under a devolution process that began in 2010, although federal laws apply until corresponding provincial laws are enacted. During the reporting period, the government of Azad Jammu and Kashmir adopted the BLSA, joining the provinces of Khyber Pakhtunkhwa, Punjab, and Sindh. The National Assembly held multiple hearings during the reporting period to solicit input on a draft comprehensive trafficking bill that would take effect for all regions upon enactment; at the end of the reporting period the bill was in committee for review.

The government reported investigating 90 alleged traffickers, prosecuting 53, and convicting 29 under PACHTO in 2017, compared with investigating 98 alleged traffickers, prosecuting 60, and convicting 25 in 2016. Despite efforts to differentiate human trafficking and migrant smuggling in law and policies, some law enforcement officials continued to confuse the two crimes and may have reported statistics conflating them, as PACHTO criminalized both trafficking and smuggling. The government also reported data on trafficking investigations, prosecutions, and convictions under the penal code by province and special administrative area. Overall, the government reported investigating 6,376 alleged sex traffickers and prosecuting 6,232 during the reporting period, an increase from 2,979 alleged sex traffickers investigated and 2,021 prosecuted during the previous reporting period. The government's overall conviction of sex traffickers decreased from 111 to 72 during the reporting period, although the government of Khyber Pakhtunkhwa reported five sex trafficking convictions compared with zero during the last two reporting periods. Punjab continued to report the vast majority of law enforcement action against sex trafficking; of the national statistics on sex trafficking, 95 percent of investigations and prosecutions and 93 percent of convictions took place in Punjab.

The government's law enforcement action on labor trafficking remained inadequate compared with the scale of forced and bonded labor in Pakistan although overall investigations, prosecutions, and convictions for bonded labor increased in Punjab. While the Islamabad Capital Territory reported one investigation on bonded labor, Punjab remained the only province to report legal action under the BLSA during the reporting period. Punjab provincial authorities reported investigating 264 alleged traffickers, prosecuting 257, and convicting 37 traffickers for bonded labor, a significant increase compared with 27 alleged traffickers investigated, 12 prosecuted and 10 traffickers convicted during the previous reporting period. An international organization stated the BLSA was not adequately enforced countrywide because of police inaction on complaints and lower court judges' lack of understanding of the BLSA. Media reported three police raids on farms in Sindh, resulting in the release of 80 men, women, and children from bonded labor and one raid in Islamabad releasing 15 family members from bonded labor in a brick kiln; while the media stated charges were filed in the Islamabad case, the government and media did not report if charges were filed in the Sindh cases. Punjab was also the only province that reported taking law enforcement action under PPC section 374, unlawful compulsory labor, and section

369A, trafficking in human beings. Under section 374, Punjab reported the investigation and prosecution of four alleged traffickers during the reporting period. Punjab reported the investigation of 114 and prosecution of 112 alleged traffickers and the conviction of 17 traffickers under section 369A; it did not disaggregate these cases between sex and labor trafficking. The government of Sindh's law enforcement efforts on labor trafficking decreased during the reporting period with a total of three alleged traffickers investigated and three prosecuted under PPC sections 370, buying or disposing of any person as a slave, and 371, habitual dealing in slaves, compared with 19 alleged traffickers investigated and 16 prosecuted in the previous reporting period. The government also reported data on several penal code sections that criminalized other non-trafficking crimes in addition to labor trafficking but did not disaggregate the data to document its specific efforts to combat forced labor under these penal codes. The government did not report individual sentences for any of the convictions.

The government's lead reporting and coordinating entity on human trafficking remained the Federal Investigative Agency (FIA), despite its statutorily limited jurisdiction on human trafficking encompassing only crimes punishable under PACHTO, which was focused on transnational offenses. FIA investigated human trafficking and migrant smuggling cases through its 27 anti-trafficking law enforcement joint task forces at the federal, provincial, and local level. FIA's basic training for new recruits included information on human trafficking and migrant smuggling. FIA also reported 17 law enforcement officers participated in six anti-trafficking trainings in 2017 held by foreign governments or international organizations; FIA contributed in-kind support to some trainings.

Official complicity in trafficking remained a significant concern as the government did not report vigorous efforts to address credible allegations and has not reported the conviction of an official found to be complicit in trafficking crimes for ten years. Some feudal landlords and brick kiln owners were affiliated with political parties or held official positions and reportedly used their influence to protect their involvement in bonded labor. In some cases, when bonded laborers attempted to escape or seek legal redress, police refused to file a case and some police even returned bonded laborers to their traffickers. NGOs continued to report perpetrators of bonded labor successfully filed false charges against victims leading to their arrest and imprisonment. Some police reportedly acted against trafficking only when pressured by media and activists, and other reports indicated police accepted bribes to ignore prostitution crimes, some of which may have included sex trafficking. In November 2016, members of the Gilgit-Baltistan Legislative Assembly and senior officials from Gilgit-Baltistan were accused in media reports of involvement in a child sex trafficking ring; the government appointed a committee of members of the Gilgit-Baltistan assembly to investigate the allegations but did not report the outcome of the investigation. In January 2017, an Islamabad High Court judge was suspended and indicted for allegedly subjecting a 10-year-old girl to torture and domestic servitude; at the end of the reporting period the case was under trial. In February 2018, Australian media reported the High Commissioner for Pakistan in Australia had been accused of subjecting her domestic worker to forced labor for 18 months; the government of Australia investigated the allegations and granted the victim protected status. The Government of Pakistan did not report criminally or administratively investigating these claims.

PROTECTION

The government increased victim identification but demonstrated mixed efforts to protect and assist victims. The government reported law enforcement, immigration, and social service personnel had SOPs for the identification of trafficking victims within their respective departments; however, it is unknown how widely such SOPs were disseminated and if officials regularly used SOPs for victim identification. The government did not report training provincial officials, other than immigration officers, on victim identification. The government reported identifying victims at both the federal and provincial level; overall, it identified a total of 14,588 victims, an increase compared with 4,649 victims identified in 2016. FIA's anti-trafficking units reported identifying 17 Pakistani victims and no foreign victims in 2017, compared with 131 Pakistani victims in 2016. Provincial police reported identifying 14,571 victims in 2017, of which 12,133 were women, 2,133 were men, and 107 were children. This was a significant increase in the identification of women victims compared with the identification of 2,134 women, 2,184 men, and 200 children victims in 2016. The government did not report which form of trafficking the victims were subjected to or disaggregate the number of victims identified by province. In part due to lack of dissemination and training on SOPs, authorities may have charged sex trafficking victims with moral crimes. NGOs accused some law enforcement officials of allowing false charges against bonded laborers to be brought by brick kiln or landowners.

The government reported referring victims to care through various agencies and at both the federal and provincial level. It reported referring to care a total of 303 victims, compared with 351 in 2016. FIA reported it referred the 17 victims it identified to NGO-run shelter and rehabilitation services; however, provincial police referred only 286 of the 14,571 victims they identified to rehabilitative care and did not report what happened to the other 14,285 victims. Civil society continued to provide victim services without government support. Government-run shelters were available to women experiencing a range of difficult circumstances, including trafficking victims. Punjab reported all 36 district women's shelters in the province were operational. Sindh province operated three women's shelters in its 29 districts and also operated four centers that offered women in distress medical and legal aid and shelter for up to 72 hours. Khyber Pakhtunkhwa reported six of its 26 districts had women's shelters, an increase of two during the reporting period, and Balochistan reported it operated one women's shelter in its 32 districts. NGOs and local politicians noted concerns about the quality of government victim care services and lack of resources. NGOs also noted government women's shelters limited victims' freedom of movement and, in the recent past, traffickers forced some of the women in government shelters into prostitution. Punjab continued to operate its wholly integrated center providing shelter; medical and psychological support for female victims of violence; and facilities for law enforcement, judicial officials, and a courtroom. While the center was open to all female victims of violence, including trafficking victims, it did not report receiving referrals for trafficking victims.

Provincial child protection units (CPUs) in Punjab, Sindh, and Khyber Pakhtunkhwa identified and referred children in exploitative or vulnerable labor situations to NGO and government care. Sindh reported it operated 15 CPUs, an increase of three during the reporting period. Balochistan did not report if it had established any CPUs despite passing legislation in November 2016 to establish such units in all districts. Boys could access government shelters; however, the government did not fund shelters for males over the age of 18. The Punjab

Child Protection and Welfare Bureau (CPWB) housed children in child protection shelters. CPWB operated open reception centers to identify and register children living on the street; during 2017, the centers identified and referred 6,474 child beggars to services, compared with 1,457 children in 2016. Authorities did not report how many of these children were identified as victims of forced begging. CPWB also identified and removed 17 children from domestic servitude. Khyber Pakhtunkhwa continued to fund and operate a 1,000 bed shelter for homeless children.

The BLSA required districts to establish bonded labor vigilance committees (DVCs) to ensure the implementation of the BLSA and provide assistance to bonded labor victims. The government of Punjab reported its DVCs held 83 meetings during the reporting period. NGOs noted the Sindh government, in particular, had not implemented the BLSA or established the required DVCs. It is unknown if DVCs set up under the Khyber Pakhtunkhwa BLSA were operational during the reporting period. Punjab and Khyber Pakhtunkhwa provided free legal aid to bonded laborers who requested help. Bonded laborers who were released but lacked identity documents were unable to access government services, including health care and food stipends, and sometimes returned to brick kilns or farms and assumed more debt. Punjab's labor department issued 21,567 identity documents to brick kiln workers during the reporting period, which allowed them to access government benefits and reduced the vulnerability to trafficking. NGO-run shelters were available to bonded laborers, including entire families. The government reported it provided protection to victims to encourage their cooperation in investigations; however, it did not report how many it provided such protection to in 2017 and it is unclear how often protection was available or adequate. Victims expressed reluctance to testify against their traffickers due to threats of violence against them and their families. The Ministry of Interior had the authority to grant extensions for foreign victims to stay in the country until a decision was reached on the victims' repatriation by the Federal Review Board of the Supreme Court; however, it is unclear if this policy allowed permanent legal alternatives to removal to countries in which victims would face retribution or hardship.

PREVENTION

The government maintained efforts to prevent trafficking. The government reported its continued implementation of the 2015-2020 national strategic framework against trafficking in persons and migrant smuggling. Provincial governments continued to allocate resources for development-related labor programs, some of which were specific to the prevention of bonded labor. Khyber Pakhtunkhwa's labor department dedicated 7 million PKR ($63,410) for specialized inspection teams within its office on child and bonded labor. Punjab continued to implement its multi-year project to eliminate child and bonded labor. Punjab prosecuted 1,516 brick kiln owners for lack of compliance with labor laws, including non-payment and illegal deductions from wages, and imposed fines totaling 519,000 PKR ($4,700), compared with the prosecution of 3,989 brick kiln owners during the previous reporting period. Punjab's labor department continued to operate a hotline to report labor violations, including child labor in brick kilns and to remove children working in brick kilns and admit them to school; the Punjab government reported at the end of the reporting period it supported 87,013 children in school. The provincial governments of Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh continued to fund and implement multi-year programs focused on combating the worst forms of child labor and other labor abuses. Punjab continued to implement a birth registration program for brick kiln workers. FIA's research and analysis center published quarterly newsletters with statistics and information on the government's efforts to combat trafficking and smuggling.

The Bureau of Emigration and Overseas Employment (BEOE) monitored overseas migration by issuing licenses to private employment promoters and monitoring workers who migrate through their own arrangements. The Emigration Ordinance of 1979 prohibited the role of unregulated and unregistered sub-agents; however, sub-agents continued to operate widely with impunity. The government allowed licensed employment promoters to charge migrant workers a service fee of 6,000 PKR ($54) and workers to pay all the costs associated with overseas employment. While the government stipulated a receipt should be issued to the migrant workers for these costs, the government did not specify any cost limit and the BEOE did not consistently review migrant workers' receipts—in 2016, an international organization's research revealed more than 80 percent of Pakistani workers' cost for employment in Saudi Arabia and United Arab Emirates was the result of exorbitant visa fees. BEOE reported it canceled 29 licenses of registered employment promoters and suspended 41 during the reporting period but it did not provide details of the promoter's violations. The government continued to ban female migrant workers under the age of 35 from migrating for domestic work. The UN and members of civil society argued any ban on female migration increased the likelihood such women would migrate illegally and therefore heightened their vulnerability to human trafficking. BEOE required migrant workers to attend a pre-departure briefing at one of its seven offices that included information on what to do if the migrant worker encountered problems; however, observers asserted the government did not take sufficient steps to inform emigrants about trafficking even though a number of migrant workers become trafficking victims. FIA partnered with an international organization to run an awareness campaign in Punjab and Balochistan against migrant smuggling and human trafficking. The Azad Jammu and Kashmir, Khyber Pakhtunkhwa, and Punjab governments reported providing information to the public on migrant smuggling and human trafficking, but did not provide details on how many potential migrant workers were reached. BEOE employed 21 community welfare attachés in 15 destination countries to provide support and information to Pakistani migrant workers; the government did not report how many Pakistani victims abroad the attachés identified or assisted.

In July 2017, the governments of Pakistan and Afghanistan partnered to provide Afghan Citizen Cards (ACCs) to the estimated one million undocumented Afghans living in Pakistan. The government received approximately 880,000 applications for ACCs, which provided legal protection from deportation under Pakistan's Foreigner's Act, and as of March 2018 had distributed 308,000 ACCs, valid through June 30, 2018. The government also granted previously registered Afghan refugees an extension of proof of registration cards until June 30, 2018; however, during the reporting period, there were reports of harassment and extortion of Afghan refugees by Pakistani provincial authorities, police, and host communities. In 2016, media reported some undocumented Afghan nationals who returned to Afghanistan due to alleged threats from Pakistani law enforcement were subjected to bonded labor in brick kilns in Afghanistan after being unable to pay their transportation cost from Pakistan. The government made efforts to reduce the demand for commercial sex acts. The government did not make overall efforts to reduce the

demand for forced labor, although the provincial government of Khyber Pakhtunkhwa reported targeting more than 1,000 employers through trafficking awareness raising events. The government provided anti-trafficking training for its diplomatic and peacekeeping personnel. Pakistan is not a party to the 2000 UN TIP Protocol.

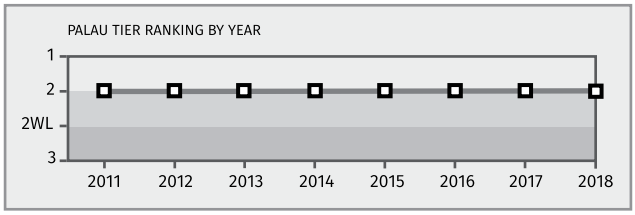
TRAFFICKING PROFILE

As reported over the last five years, Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The country's largest human trafficking problem is bonded labor, in which an initial debt assumed by a worker as part of the terms of employment is exploited, ultimately entrapping other family members, sometimes for generations. Bonded labor is concentrated in Sindh and Punjab provinces, but also occurs in Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brick-making and, to a lesser extent, in fisheries, mining, and handicraft- and carpet-making. Some feudal landlords and brick kiln owners affiliated with political parties use their influence to protect their involvement in bonded labor. Children are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and sex trafficking. According to a prominent child rights NGO, the majority of children living on the street in Pakistan are subjected to forced begging. Begging ringmasters sometimes maim children to earn more money. NGOs report boys are subjected to sex trafficking around hotels, truck stops, bus stations, and shrines. Illegal labor agents charge high recruitment fees to parents in return for employing their children, some of whom are subjected to forced labor and sex trafficking. Trafficking experts describe a structured system for exploiting women, girls, and LGBTI individuals in sex trafficking, including offering victims for sale in physical markets. Observers report police accept bribes to ignore prostitution in general, some of which may include sex trafficking. Women and girls are sold into forced marriages; in some cases, their new "husbands" force them into prostitution in Iran or Afghanistan. In other cases, including some organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militant groups kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy and fight in Pakistan and Afghanistan. Pakistan's large number of IDPs, due to natural disasters and domestic military operations, are vulnerable to trafficking.

Pakistani men and women migrate voluntarily to the Gulf states and Europe for low-skilled employment—such as domestic service, driving, and construction work; some become victims of labor trafficking. False job offers and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis into sex trafficking and bonded labor. Some Pakistani children and adults with disabilities are forced to beg in Iran. Pakistan is a destination country for men, women, and children subjected to forced labor—particularly from Afghanistan, Bangladesh, and Sri Lanka. Women and girls from Afghanistan, China, Russia, Nepal, Iran, Bangladesh, Uzbekistan, and Azerbaijan are reportedly subjected to sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, including Rohinyga, as well as religious and ethnic minorities such as Christians and Hazaras, are particularly vulnerable to trafficking in Pakistan.

PALAU: TIER 2

The Government of Palau does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Palau remained on Tier 2. The government demonstrated increasing efforts by establishing and funding a trafficking task force; increasing and reporting on investigations, prosecutions, and convictions of trafficking crimes, including complicit officials; identifying more victims; and funding a regional NGO providing legal services to several trafficking victims. However, the government did not meet minimum standards in several key areas. Courts issued light penalties such as suspended sentences for trafficking crimes and the government did not provide or fund emergency protective services such as shelter, medical, or psychological care. There was also a lack of proactive victim identification and referral protocols.



RECOMMENDATIONS FOR PALAU

Using the 2005 anti-trafficking law and 2014 amendments to the criminal code, increase efforts to investigate and criminally prosecute trafficking offenses, convict sex and labor traffickers, and impose strong penalties on convicted traffickers—including complicit officials that are likely to deter future offenses; institute and implement victim identification and referral protocols, standard operating procedures, and training for law enforcement officers to identify and protect trafficking victims in vulnerable groups; fund and develop emergency and ongoing protective services for trafficking victims, including emergency housing options; establish witness confidentiality procedures; implement the anti-trafficking hotline; increase anti-trafficking awareness among vulnerable populations, including labor migrant communities; use funds obtained from asset seizure or fines imposed on convicted traffickers to support victims; do not penalize trafficking victims for illegal acts committed as a result of being subjected to human trafficking; enforce the anti-trafficking laws punishing recruiters, employment agents, and labor officials for illegal practices that facilitate trafficking; establish a mechanism for the systematic monitoring of government anti-trafficking efforts; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The Anti-Smuggling and Trafficking Act of 2005 and 2014 amendments to the criminal code criminalized sex and labor trafficking and prescribed penalties of 10 to 50 years imprisonment and fines of up to $50,000; these penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government investigated 14 potential cases of trafficking with 24 defendants, a large increase compared with none reported in 2016. The government prosecuted three trafficking cases, compared with

two cases last year. The government reported three convictions, one by the special prosecutor's office, compared with two convictions last year. The court-imposed penalties, however, reflected a failure to treat trafficking as a serious crime. A court convicted two labor traffickers and sentenced them to five years imprisonment; however, the court suspended the sentences and required the traffickers to self-deport within 30 days. A court convicted a labor recruiter on trafficking and smuggling charges with a sentence of 10 years probation; she served one year before she was deported. The government also convicted four defendants for promoting prostitution with minors with sentences ranging from six months to 13 years imprisonment; one was registered as a sex offender.

Observers noted official complicity played a significant role in facilitating trafficking. The Attorney General's Office investigated allegations of official complicity during the reporting period but did not report the number of officials or the allegations made or initiate prosecutions or secure convictions of complicit officials during the year. The government did not report progress on two pending sex trafficking prosecutions involving complicit officials from 2012. The government launched a new trafficking task force, which led investigations of trafficking, including those that may implicate officials. The Attorney General's Office had a prosecutor dedicated to working on trafficking cases. The government sent one immigration officer to attend a regional conference on immigration enforcement, which included human trafficking cases as a secondary topic, but observers reported that training was lacking for law enforcement.

PROTECTION

The government increased efforts to protect victims. The government reported that the police identified 10 foreign labor trafficking victims and four potential minor victims of sex trafficking, compared with none reported last year. The government did not report funding or provide emergency protective services to adult trafficking victims such as shelter, medical, or psychological care although the minor victims received some counseling at the hospital. There were no guidelines for proactive identification or referral process to guide officials in transferring identified victims to care providers or protective custody. The general lack of support services reportedly led some victims to leave the country rather than pursue legal recourse.

The government contributed approximately $15,000 to an NGO, Micronesian Legal Services Corporation (MLSC), specifically to assist trafficking victims with legal counseling and representation before labor and immigration hearings. Trafficking victims may file claims with MLSC, which filed 10 civil lawsuits on behalf of 49 victims. The Attorney General's Office assisted some victims with work visa extensions and job placements, in coordination with labor and immigration officials. Prosecutors did not request restitution for trafficking victims, reportedly due to an inability to submit admissible evidence. Non-Palauan trafficking victims could seek to legalize their worker status or receive assistance with repatriation. Victim identities were not kept confidential. Authorities charged one of the defendants in a trafficking case with verbally threatening a potential witness. There were no reports of trafficking victims penalized for acts committed as a result of having been subjected to trafficking; however, insufficient identification efforts made victims vulnerable to law enforcement actions.

PREVENTION

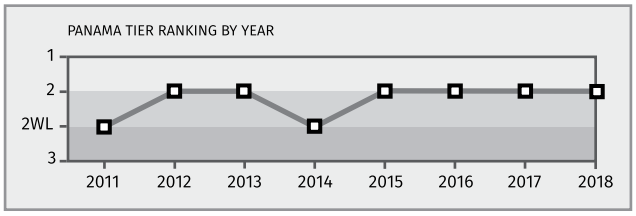
The government increased efforts to prevent trafficking. The government established and funded an Anti-Human Trafficking Office under the Ministry of Justice that will conduct investigations and promote public awareness campaigns on human trafficking. It did not conduct educational or public awareness campaigns for employers or labor recruiters. The government created and distributed a flyer with information on a planned victim hotline. The government's human rights task force submitted both an appraisal of Palau's anti-trafficking efforts and a draft national action plan to the president for review. The president announced a special law enforcement operation targeting illegal business practices in the tourism industry to reduce the demand for forced labor and commercial sex, but did not report any such actions during the reporting period. The government did not make efforts to oversee the labor recruitment and contract violations experienced by many foreign workers. The government did not provide anti-trafficking training for its diplomatic personnel. Palau is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the last five years, Palau is a destination country for women subjected to sex trafficking and for women and men subjected to forced labor. Palau's foreign population, about one-third of the country's population of 21,400, is the most vulnerable to trafficking. Filipino, Bangladeshi, Nepali, Chinese, and Korean men and women pay thousands of dollars in recruitment fees and willingly migrate to Palau for jobs in domestic service, agriculture, restaurants, or construction; upon arrival, some are forced to work in conditions substantially different from what had been presented in contracts or recruitment offers, and some become trafficking victims. Women from the Philippines and China are recruited to work in Palau as waitresses or clerks but some are subsequently forced into prostitution in karaoke bars or massage parlors. Foreign workers on fishing boats in Palauan waters also experience conditions indicative of human trafficking. Official complicity plays a role in facilitating trafficking. Government officials—including labor, immigration, law enforcement, and elected officials—have been investigated for complicity.

PANAMA: TIER 2

The Government of Panama does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Panama remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and convicting more traffickers; establishing the Commission on the Identification and Protection of Victims to address victim identification and administer victim services; and developing and implementing its 2017-2022 national anti-trafficking action plan. However, the government did not meet the minimum standards in several key areas. The government did not improve victim identification efforts or provide or fund trafficking-specific shelters or services.



RECOMMENDATIONS FOR PANAMA

Significantly increase funding for specialized victim services, including by allocating funds to the dedicated victim assistance fund and civil society organizations; intensify law enforcement efforts to proactively investigate and prosecute labor trafficking crimes and trafficking of children, including cases involving Panamanian victims exploited within the country; institute standardized protocols on victim identification including proactive screening of vulnerable populations such as migrants and individuals in prostitution, referral procedures, and reporting data to the national commission; train officials—including police, border, and immigration officials—on victim identification and referral procedures, especially among populations vulnerable to trafficking; make specialized services available to male victims; fully implement the national anti-trafficking action plan; amend the anti-trafficking law to adopt a definition of human trafficking consistent with the 2000 UN TIP Protocol; and eliminate the disparity in penalties between the trafficking in persons law and other laws that criminalized sex trafficking crimes, such as commercial sexual exploitation of children.

PROSECUTION

The government increased law enforcement efforts. Article 456 of the penal code did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. It specifically criminalized anyone who promotes, leads, organizes, finances, invites, or manages by any means of communication, mass or individual, or in any other way facilitates the entry into or the exit from the country or the movement within the country of a person of any sex, to realize one or several acts of prostitution or submit a person to exploitation, sexual or labor servitude, slavery or activities similar to slavery, forced labor, servile marriage, mendacity, illicit extraction of organs or irregular adoption, prescribing sentences from 15 to 20 years imprisonment. These punishments were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, the law established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime. The law defined trafficking broadly to include illegal adoption without the purpose of exploitation and labor exploitation. Panamanian officials continued to investigate and prosecute trafficking cases that did not involve the displacement of individuals as other crimes, such as commercial sexual exploitation. For example, the government charged some child sex traffickers with child sexual exploitation, which carries lighter sentences. Article 180 criminalized the prostitution of minors with penalties of four to six years imprisonment and a 5,200 balboas ($5,200) fine. Article 186 criminalized purchasing commercial sex acts involving a child and prescribed penalties of five to eight years imprisonment.

Authorities initiated 18 trafficking investigations involving 17 suspects, compared to seven sex trafficking investigations involving 13 suspects in 2016. The government prosecuted 24 suspects under the trafficking law, compared with 13 in 2016. Authorities convicted seven traffickers—four sex traffickers and three labor traffickers—compared to two sex traffickers in 2016. The government sentenced these traffickers to 10 to 15 years imprisonment, compared to six to 18 years in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. At least 11 trafficking investigations remained ongoing from the previous reporting periods. The government continued to detain two suspected labor traffickers in a case from a previous year, pending additional evidence. Authorities investigated a sex trafficking operation run by Chinese nationals who recruited Venezuelan women and catered to Chinese-speaking purchasers in Panama.

The Panamanian National Police had 30 officers with specialized training in trafficking investigations and worked with the attorney general's organized crime office to investigate cases. The government dismantled the sub-unit dedicated to trafficking crimes, which had been set up in 2016. Panamanian authorities cooperated with Central and South American countries on three trafficking operations, which led to three investigations and prosecutions. The government provided in-kind support to international organizations, which provided training on trafficking for officials, utilizing a train-the-trainer model that reached more than two dozen officials from eight ministries.

PROTECTION

The government decreased protection efforts. The government identified 59 trafficking victims—57 sex trafficking victims and two forced labor victims; 55 foreign victims and four Panamanians—compared to 84 suspected adult sex trafficking victims in 2016 (82 foreigners and two Panamanians). The National Commission Against Human Trafficking established the Commission on the Identification and Protection of Victims to address victim identification and administer victim services, which led to the identification of four victims. However, the government did not have systematic procedures to proactively identify victims among some vulnerable populations, such as people in prostitution and undocumented migrants in detention. The government did not implement guidelines for victim identification and protection developed by an international organization, although the new national anti-trafficking action plan for 2017-2022 included an objective related to the implementation of these guidelines. Officials referred all victims to the Technical Unit for Attention and Protection of Victims and Witnesses (UPAVIT), which provided assistance for victims and physical protection to victims, witnesses, and experts, but the government did not provide or fund trafficking-specific shelters or services. The government provided psychological and medical services and transportation to all 59 identified victims and legal services to three victims. Authorities placed victims in hotels and covered the cost of the hotel rooms or allowed victims to return to their country of origin. Officials maintained 24/7 security at hotels and did not permit victims to leave their hotels unescorted, which could re-traumatize them. The anti-trafficking law provided for temporary legal residency or repatriation for foreign victims, but the government did not provide such benefits to any victims during the reporting period. Many victims chose to return to their home countries or reside with family and friends rather than stay in hotels, potentially inhibiting victim-witness support in pending trafficking cases.

The government did not dedicate funds for anti-trafficking efforts and did not allocate sufficient resources for victim care. The government used specially designed interview rooms that

separate trafficking victims from the courtroom, allowing them to provide testimony privately in order to minimize the risk of re-victimization during the judicial process. The government approved the design and construction of a dedicated trafficking shelter by an international organization.

UPAVIT implemented protocols to protect victims during the judicial process. Victims did not assist in the legal process during the reporting period. While victims could file civil suits against traffickers, no victim had ever done so. The government continued to partially implement a 2013 law mandating any seized assets derived from human trafficking activities be allocated to services for trafficking victims. The government did not provide repatriation assistance to its own citizens identified as trafficking victims abroad. While there were no reports of victims penalized for unlawful acts committed as a direct result of being subjected to trafficking, insufficient efforts to screen for indicators of trafficking may have led to some victims being penalized.

PREVENTION

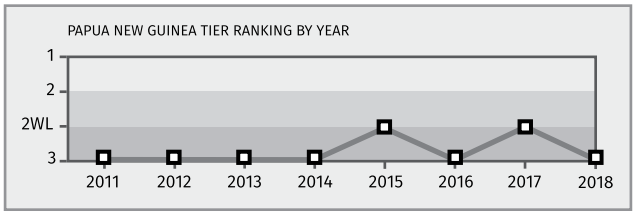
The government increased prevention efforts. The government, with technical assistance from international organizations, developed and implemented its 2017-2022 national anti-trafficking action plan, which addressed prevention, victim assistance and protection, prosecution, international cooperation, and monitoring. The National Commission Against Human Trafficking met nine times during the reporting period and hired dedicated staff to monitor and report progress toward the action plan. Panama assumed the presidency of the regional coalition against human trafficking and smuggling, which led to a regional anti-trafficking strategic plan and a guide for victim repatriation. The government worked with an international organization to update the multilateral Protocol for International Information Exchange at Border Areas, an information exchange mechanism for authorities in the region to share information on cases, to include trafficking. The commission provided judges with anti-trafficking materials and approved its members the ability to invite other institutions to meetings on victim service coordination. Individual government institutions used their own funds to conduct events, radio programs, concerts, marches, a social media campaign, and press conferences to promote awareness. National laws and regulations provided the authority to revoke the licenses of fraudulent recruiters and recruitment fees, but the government did not report enforcing them. The government made no new efforts to reduce the demand for forced labor and commercial sex acts. Panama criminalized child sex tourism, but did not prosecute any cases. The Panamanian Commission against Sexual Exploitation Crimes continued its campaign against the sexual exploitation of minors—including child sex trafficking—in collaboration with tourism authorities, which led to increased awareness among tourism professionals and authorities conducted 41 inspections of hotels. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Panama is a source, transit, and destination country for men and women exploited in sex trafficking and forced labor. Children are exploited in forced labor, particularly domestic servitude, and sex trafficking in Panama. Most identified trafficking victims are foreign adults exploited in sex trafficking, especially women from South and Central America. However, traffickers also exploit Panamanian individuals in sex trafficking in Panama and in the Caribbean and Central and South America. Traffickers exploited transgender individuals in sex trafficking due in part to increased vulnerability on account of discrimination and high demand for sexual services from this population. Some men and women from Central America who transit Panama en route to the Caribbean or Europe are subjected to sex trafficking or forced labor in their destination countries. Traffickers exploit Central and South American and Chinese men in forced labor in construction, agriculture, mining, restaurants, door-to-door peddling, and other sectors using debt bondage, false promises, lack of knowledge of the refugee process and irregular status, restrictions on movement, and other means. In a change from previous years, police reported that victims were forced to consume illegal drugs by their traffickers as a coercive measure. Men from the United States have been investigated as child sex tourists in Panama.

PAPUA NEW GUINEA: TIER 3

The Government of Papua New Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Papua New Guinea was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including initiating the first investigation of a government official under the country's anti-trafficking law. However, an acute lack of financial and human resources dedicated to trafficking, as well as very low awareness among government officials and the public, hindered progress. The government did not provide or fund protective services for victims, did not systematically implement its victim identification procedures, and did not identify any trafficking victims in 2017. It also did not initiate any prosecutions and did not achieve a single trafficking conviction for the fifth consecutive year.



RECOMMENDATIONS FOR PAPUA NEW GUINEA

Disseminate, implement, and widely train police, immigration, and customs enforcement officers on the standard operating procedures (SOPs) for victim identification, referral, and protection; investigate and prosecute trafficking offenses and convict and apply strong sentences to traffickers, including family members and officials who facilitate or directly benefit from trafficking; in collaboration with civil society, screen for indicators of trafficking among fishermen apprehended for illegal fishing or immigration crimes; work with NGOs and international organizations to increase protective services for victims of trafficking; to protect victims from arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking, clarify who has the authority to designate an individual as a trafficking victim and simplify the process for doing so; allocate resources, including dedicated staff, to government agencies to implement the national action plan and SOPs; increase collaboration with civil society, private

sector, religious, and community leaders to raise awareness of and reduce demand for forced labor and commercial sex acts, especially of children; strengthen the national trafficking committee by designating senior officials to represent their agencies; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased law enforcement efforts in 2017. The Criminal Code Amendment of 2013 criminalized sex and labor trafficking and prescribed penalties of up to 20 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The police initiated investigations into one individual suspected of trafficking in 2017, compared with three in 2016. The police investigated a police commander for allegedly subjecting eight women to sex and labor trafficking; this was the first trafficking case involving a complicit official under the anti-trafficking law. Authorities did not initiate prosecutions of any suspects in 2017, compared with three in 2016. One prosecution initiated in 2016 was still ongoing and awaiting trial. Similar to past years, the government did not achieve any trafficking convictions.

An international organization partnered with the government to conduct trainings for government officials. The government provided the venue and logistical support and co-facilitated some training sessions. The national action plan outlined future government-led trainings with the goal of implementing government agencies institutionalizing and delivering the training package. Provincial officials' limited understanding of trafficking hindered effective law enforcement activity. Enforcement agencies and most government offices remained weak as a result of underfunding, corruption, cronyism, a lack of accountability, and a promotion system based on patronage.

PROTECTION

The government decreased efforts to protect victims. Authorities and civil society organizations did not identify any new victims, compared with six victims identified in 2016 and 31 in 2015. Although officials seized three foreign vessels for illegal fishing and trafficking in 2016, they did not apprehend any vessels in 2017. Logging and mining sites primarily operated in remote regions with negligible government oversight, and authorities did not make efforts to identify sex or labor trafficking victims at these sites. The government maintained their SOPs for victim identification; however, authorities lacked a written guide as recommended in the national action plan. The government provided law enforcement agencies rapid screening forms and related victim identification training; however, police continued to rely upon foreign expert assistance to identify victims. Civil society organizations provided medical and short-term shelter services to victims without financial or in-kind support from the government. Male victims could receive ad hoc services and female victims could receive services through NGO-run gender-based violence programs; there were no services specifically tailored to the needs of trafficking victims.

The victim identification procedures included guidance for protecting foreign victims from punishment for immigration crimes committed as a result of trafficking. However, authorities punished some victims for such crimes due to challenges in interagency coordination and a lack of clarity over who had the authority to verify an individual as a victim of trafficking. Authorities arrested and prosecuted children who were forced to pan for gold in areas where this activity was illegal; the national trafficking committee was working to have these children recognized as trafficking victims at the close of the reporting period. The law provided legal alternatives to the removal of foreign victims to countries where they may face hardship or retribution, but the government did not report offering this protection to any victim in 2017. The government allowed "ongoing stay" for trafficking victims but lacked provisions for victims to seek compensation through civil suits.

PREVENTION

The government maintained minimal efforts to prevent trafficking. The national trafficking committee met quarterly in 2017. Committee members participated in monitoring visits to gather information from a variety of stakeholders on their awareness of trafficking. The government did not demonstrate measurable progress in the implementation of its national plan of action, or the government-led training or referral processes. The government did not conduct any awareness-raising campaigns or community outreach to educate the public about trafficking indicators. The government did not make efforts to decrease the demand for forced labor or commercial sex acts. The government did not have effective policies to regulate foreign labor recruiters or hold recruiters liable for fraudulent recruiting. Papua New Guinea is not a party to the 2000 UN TIP Protocol. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

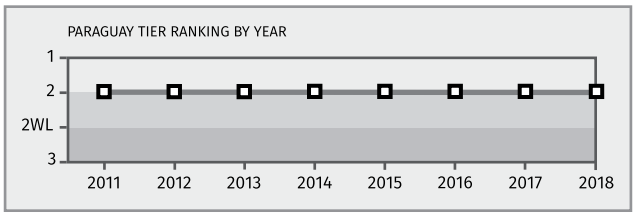
As reported over the past five years, Papua New Guinea is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Foreign and local women and children are subjected to sex trafficking, domestic servitude, forced labor in the tourism sector, and forced begging and street vending. An international NGO conducted research with sex trafficking victims and concluded approximately 30 percent were children under the age of 18 and some were as young as 10 years old. Children are reportedly subjected to sex trafficking or forced labor by members of their immediate family or tribe. Parents force children to beg or sell goods on the street and sell or force their daughters into marriages or child sex trafficking to settle debts or to support their families. Marriages in Papua New Guinea commonly involve a "bride price" of money or chattel paid to the wife's family by the husband's family; this is sometimes used as a debt to compel women to remain in abusive or servile marriages. Young girls sold into polygamous marriages may be forced into domestic service for their husbands' extended families or exploited in sex trafficking. Within the country, children and women may be exploited with promises of legitimate work or education to travel to different provinces where they are subjected to sex trafficking or domestic servitude. Tribal leaders reportedly trade with each other the exploitative labor and service of girls and women for guns and to forge political alliances.

Malaysian and Chinese logging companies arrange for some foreign women to enter the country voluntarily with fraudulently issued tourist or business visas. After their arrival, many of these women—from countries including Indonesia, Malaysia, Thailand, China, and the Philippines—are turned over to traffickers who transport them to logging and mining camps, fisheries, and entertainment sites, and exploit them in forced prostitution and domestic servitude. Chinese, Malaysian, and local men are subjected to forced labor at commercial mines and logging camps, as well as on fishing vessels operating in

Papua New Guinea's exclusive economic zone, where some receive little pay and are compelled to continue working for the company indefinitely through debt bondage. Vietnamese, Burmese, Cambodian, and local men and boys are subjected to forced labor on fishing vessels; they face little to no pay, harsh working conditions, and debt bondage, and many are compelled to fish illegally, making them vulnerable to arrest. Government officials reportedly facilitate trafficking by accepting bribes to allow undocumented migrants to enter the country or ignore trafficking situations, and some may exploit sex trafficking victims or procure victims for other individuals in return for political favors or votes.

PARAGUAY: TIER 2

The Government of Paraguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Paraguay remained on Tier 2. The government demonstrated increased efforts by investigating more cases under the anti-trafficking law, allowing video testimony to prevent the re-traumatization of victims, issuing strong sentences, and continuing robust cooperation with foreign governments. Despite these efforts, the government did not sufficiently fund protection services for all victims of trafficking, and authorities did not implement or train officials on victim identification and referral protocols. Cooperation with civil society was extremely limited, and the 2014-2018 national action plan was still pending final approval.



RECOMMENDATIONS FOR PARAGUAY

Increase access to adequate specialized victim services, including shelter options for all victims of trafficking; increase funding and training to implement previously existing victim identification protocols and victim referral mechanisms; increase engagement with civil society actors to assist the government's efforts to prevent trafficking and protect victims, and incorporate them as regular participants in the interagency roundtable; proactively investigate official complicity in the facilitation of trafficking; prosecute and convict traffickers, including complicit officials; obtain presidential approval for the national plan to combat trafficking and sufficiently fund its implementation; adopt reforms to eliminate situations of *criadazgo* and the related abusive practices and working conditions that may amount to trafficking; empower labor inspectors and law enforcement officials with the authority to be able to detect and investigate situations where trafficking is suspected; designate a government entity responsible for coordinating anti-trafficking efforts; improve transnational cooperation with neighboring governments located in the border area to ensure law enforcement coordination, victim protection, and consular assistance; train members of the navy on victim identification and increase inspections of barges and ships traveling through the major waterways; encourage municipalities and ministries involved in issuing operational permits to businesses to certify that entities have not been involved in trafficking before issuing permits; and amend the anti-trafficking law to incorporate the definition of trafficking from international law.

PROSECUTION

The government maintained prosecution efforts. The Comprehensive Anti-Trafficking Law 4788 of 2012 criminalized sex and labor trafficking and prescribed penalties of up to eight years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Inconsistent with international law, law 4788/12 established the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime. Articles 129b and 129c of Law 3440/08 also criminalized international trafficking for the purpose of sexual exploitation and forced labor, respectively.

The public ministry's Anti-Trafficking Unit (ATU) was the lead agency responsible for investigating and prosecuting traffickers. In 2017, the ATU initiated 134 trafficking investigations (54 for sex trafficking, 21 for forced labor, and 59 for child sex trafficking), an increase from 77 in 2016 and 68 in 2015. Authorities reported 53 prosecutions for trafficking offenses (71 in 2016 and 17 in 2015). Authorities often charged traffickers with lesser crimes, such as pimping or soliciting. In 2017, authorities reported 17 convictions, 10 for trafficking crimes and seven for other trafficking related offenses. It was unclear how many of the seven convictions were for forced labor or sex trafficking. In 2017, sentences for trafficking offenses averaged five years, compared with an average of two years imprisonment in 2016. In a high-profile case, the government allowed several victims to testify against their traffickers using video-conferencing technology; in this case, three traffickers received sentences from 10 to 12 years in prison. During the reporting period, the ATU cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on the investigation of several cases. In coordination with a foreign government, the ATU conducted four training sessions on labor trafficking reaching 400 government officials, including judges, prosecutors, investigators, labor inspectors, and immigration officials. Although the government did not report investigating any cases of official complicity, several observers alleged police involvement in trafficking activities, including reports of local police chiefs who received bribes from massage parlors and brothels under their jurisdiction to allow the exploitation of trafficking victims. During the reporting period, new anecdotal allegations surfaced in which police facilitated sex trafficking of women and girls on barges operating along the Paraguay River.

PROTECTION

The government maintained protection efforts. In 2017, the Ministry of Women Affairs (MWA) identified 90 women victims of trafficking, compared with 82 in 2016. Authorities did not report how many victims were identified by other government agencies. In 2016, with the assistance of an international organization, the government developed a formal victim identification protocol and national referral guide for prosecutors, police, labor inspectors, and border officials. However, the government did not widely distribute these tools to first responders. In practice, the government used an ad hoc process for victim identification and referral. The government made insufficient efforts to protect victims and lack of cooperation with civil society actors limited the provision of wholesome and comprehensive care. The ATU

continued to provide basic assistance to victims of trafficking, going beyond their core investigative responsibilities. The ATU had three teams to assist trafficking victims; these teams provided psychological, social, and legal assistance. The overall quality of care for victims was insufficient due to limited resources and the lack of qualified personnel. The government relied heavily on international partners for support. In 2017, authorities cooperated with Argentina, Bolivia, France, Spain, EUROPOL, and INTERPOL on cases involving 20 Paraguayans and three foreign victims of trafficking. The government did not report if Paraguayan victims received assistance upon their return. In an effort to fill immediate budget gaps for victim assistance, the ATU used money collected from fines imposed on individuals driving under the influence of alcohol. Several observers reported that such subsidies were insufficient to adequately fund efforts. There were two shelters dedicated to helping female trafficking victims, one managed by the MWA and the other co-managed by The Secretariat for Children and Adolescents (SNNA) and an NGO. In 2017, the government provided shelter to a total of 27 victims (15 victims by MWA and 12 girl victims by the SNNA). In addition to shelter and food, the MWA and the SNNA provided psychological support, social assistance, legal advice, and reintegration programs for trafficking victims. The government did not have a shelter to assist male trafficking victims; however, the ATU provided assistance on an ad hoc basis before facilitating the return of male victims to their community of origin.

The government provided approximately 5.3 billion guaranies ($950,840) for the efforts of the ATU, the MWA, and SNNA. Authorities reported funding was insufficient to assist victims adequately. The Ministry of Public Health and municipalities had statutes that allowed the inspection of brothels; however, federal authorities complained that municipalities continued to issue operational permits to establishments where victims had previously been found. The government helped repatriate three trafficking victims and referred them to care facilities to receive medical, psychological, and legal services. Authorities did not provide any training for government officials on victim protection in 2017.

PREVENTION

The government increased prevention efforts. The Office of the Director General for Consular Affairs was the government entity responsible for coordinating anti-trafficking programs, including the activities of an interagency roundtable that consisted of subcommittees on prevention, prosecution, assistance, and legislation and included representatives from 16 government agencies. The roundtable was effective in fostering dialogue and coordination among government agencies; however, it continued to face challenges in collecting and reporting statistics. The comprehensive anti-trafficking law of 2012 did not stipulate the mandatory participation of civil society actors in the roundtable. During the reporting period, however, the government identified an NGO to serve as a liaison between the roundtable and civil society. In 2017, the interagency roundtable approved the 2014-2018 National Plan for the Prevention and Combat of Trafficking in Persons, but the plan lacked presidential approval at the close of the reporting period.

The government lacked a national anti-trafficking secretariat, despite the 2012 law mandating its creation. Several observers reported the absence of a dedicated agency limited the effectiveness of anti-trafficking efforts. The MWA coordinated eight regional anti-trafficking meetings in five departments reaching 677 community members and local departmental representatives of the agencies that participated in the roundtable. The government continued to post brochures and posters in bus terminals, airports, and border crossings to promote awareness. The government maintained a hotline to report crimes against children, including trafficking; media reports indicated the government received more than 9,000 calls to the hotline during the first half of 2017, but it was unclear how many of those were reports of trafficking. In 2017, the SNNA launched a cellphone app version of the hotline to promote use among younger audiences. Individuals calling the hotline or using the app had to provide identification; lack of anonymity could hinder reporting of crimes due to fear of reprisal. The government sponsored training for 23 taxi drivers in Asuncion that included awareness on child sexual exploitation. The government did not make efforts to reduce the demand for commercial sex or forced labor. Authorities did not identify children from whom sex was purchased by foreigners in Ciudad del Este and the Tri-Border Area as victims of child sex tourism or trafficking. In 2017, the government launched an awareness campaign focused on the prevention of child commercial sexual exploitation in the tourism sector. The campaign displayed pamphlets, stickers, and banners at hotels, airports, and places of mass circulation in Ciudad del Este and the border region. The government did not provide anti-trafficking training to its diplomatic personnel. The government provided all peacekeepers with UN-approved training on trafficking prior to their deployment on international peacekeeping missions.

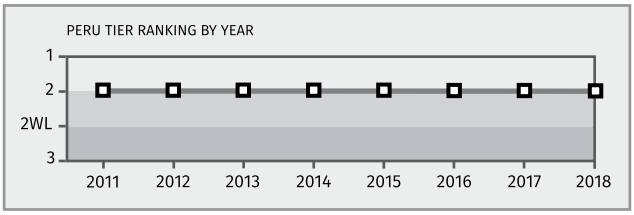
TRAFFICKING PROFILE

As reported over the past five years, Paraguay is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. Paraguayan women and girls are subjected to sex trafficking within the country, and transgender Paraguayans are vulnerable to sex trafficking. The practice of *criadazgo* appears to be the most visible and common form of trafficking in the country. Middle- and upper-income families in both urban and rural areas took on children, almost exclusively from impoverished families, as domestic workers and provided varying compensation that included room, board, money, a small stipend, and/or access to educational opportunities. Although not all children in situations of *criadazgo* are victims of trafficking, it made them more vulnerable. An estimated 46,000 Paraguayan children work in situations of *criadazgo*; many of these children are highly vulnerable to sex and labor trafficking. Although *criadazgo* mainly affects young girls, boys are increasingly at risk. Boys are often victims of labor exploitation in the agriculture industry, domestic servitude, forced criminality, and in some cases as horse race jockeys. Indigenous persons are particularly at risk for forced labor and sex trafficking. Children engaged in street vending and begging and working in agriculture, mining, brick making, and ranching are vulnerable to trafficking. Foreign victims of sex and labor trafficking in Paraguay are mostly from other South American countries. Paraguayan victims of sex trafficking and forced labor are found in Argentina, Brazil, Chile, China, Colombia, Mexico, Spain, and other countries. Paraguayan women are recruited as couriers of illicit narcotics to Europe and Africa, where they are often subjected to forced prostitution. Paraguayan children are subjected to forced labor in the cultivation and sale of illicit drugs in Brazil. The Tri-Border Area, between Argentina, Brazil, and Paraguay, is vulnerable to human trafficking given the lack of regulatory measures, insufficient transnational cooperation, and the fluidity of illicit goods and services. Government officials—including police, border guards, judges, and public registry employees—facilitated

human trafficking, including taking bribes from brothel owners in exchange for protection, extorting suspected traffickers in order to prevent arrest, and producing fraudulent identity documents. Paraguayan women and girls are vulnerable to trafficking in ships and barges navigating along country's major waterways. Reports from 2015 indicated isolated instances of the now-defunct organized criminal group the Armed Peasant Association (ACA) forcibly recruiting children and adolescents to participate in logistical and communication support roles.

PERU: TIER 2

The Government of Peru does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Peru remained on Tier 2. The government demonstrated increasing efforts by investigating and convicting more traffickers, increasing funding for law enforcement efforts, and implementing a new national anti-trafficking action plan. However, the government did not meet the minimum standards in several key areas. Poor interagency coordination continued to hinder victim identification and assistance. Many ministries reported they did not have adequate funding to fulfill their anti-trafficking mandates. Complicity of some government officials undermined efforts to combat trafficking, but the government only reported one ongoing investigation of a complicit official in 2017.



RECOMMENDATIONS FOR PERU

Increase funding for, and access to, specialized, comprehensive services for all victims, including for adults and those exploited outside the capital; investigate and prosecute trafficking-related corruption and official complicity, and convict and punish complicit officials for these crimes; increase efforts to prosecute trafficking offenses and convict and punish traffickers, especially for forced labor; consistently implement protocols for interagency coordination and victim-centered investigations and prosecutions; establish systematic training for government officials to increase their understanding of trafficking and improve victim identification; conduct coordinated, intelligence-based raids and employ effective victim screening and referrals; protect victims' rights throughout the entire legal process, including by assigning victim advocates to all identified victims when they are identified rather than waiting for the prosecutor to file a case; cease holding victims in police stations, especially children; train police, prosecutors, and judges to apply anti-trafficking laws effectively and issue stringent dissuasive sentences for convicted traffickers, including in cases involving psychological coercion; harmonize anti-trafficking laws, including through amending laws to remove the legal basis for inadequate sentencing; improve efforts to collect and report comprehensive, disaggregated data on anti-trafficking victim protection, law enforcement, and prosecution efforts and collect data on cases where trafficking charges were reduced to lesser offences during prosecution or at the time of sentencing; dedicate adequate funding in ministry and regional government budgets to carry out anti-trafficking responsibilities; and enforce laws against crimes that facilitate trafficking, such as fraudulent job recruitment, illegal mining, and counterfeit operations.

PROSECUTION

The government increased prosecution efforts. Article 153 of the penal code criminalized sex and labor trafficking, prescribing penalties of eight to 15 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law defined trafficking broadly to include all forms of labor exploitation. Article 168-B of Legislative Decree No.1232 prescribed a six-year minimum sentence for forced labor, which increased to a minimum of 12 years if the victim was 14-18 years old, or a 15-year minimum if the victim was younger than 14. Other laws criminalized elements of sex trafficking: profiting from sex trafficking carried penalties of three to 10 years imprisonment (20 years if the victim was younger than 14, 15 years if the victim was aged 14-17); pimping carried penalties of two to five years imprisonment (four to five years if the victim was younger than 18). Peruvian law also criminalized child sex tourism and prescribed penalties ranging from four to eight years imprisonment or eight to 10 years imprisonment under aggravating circumstances. The government continued to introduce the New Criminal Procedures Code, implementing it in 28 of 31 judicial districts by February 2018. The new criminal code did not require victims of trafficking to submit a complaint in order for the government to prosecute a suspected trafficker.

Peru's overlapping legal framework on human trafficking and related crimes sometimes caused confusion for police, prosecutors, and judges in determining the appropriate charges, particularly in cases of alleged sex trafficking. For example, prosecutors often charged lesser, more readily provable offenses, such as pimping, that carried significantly lower penalties than trafficking offenses. Even when sex trafficking charges were filed, officials reported judges often reduced them to lesser charges, particularly in cases involving adult female victims. Judges applied the law unevenly in cases involving child victims; they occasionally ignored victims' ages and therefore failed to apply the harsher penalty provisions applicable for crimes involving child victims. Prosecutors reported challenges in obtaining convictions in cases where traffickers used psychological coercion, rather than physical force or confinement, to compel victims into sex or labor exploitation.

Although several ministries operated data collection systems to track their anti-trafficking law enforcement and victim protection efforts, the government lacked a single authoritative system to record all government actions, making it difficult for authorities to assess efforts and identify trends. The Ministry of Interior (MOI) and the public ministry, however, tested an integrated data collection system during the year. Police reported conducting 865 anti-trafficking operations in 2017 (764 in 2016), resulting in the arrest of 410 suspected traffickers (427 in 2016). The public ministry's anti-trafficking unit reported participating in 122 anti-trafficking operations and investigating 228 suspected traffickers' cases. Authorities did not report specific details for all operations, including how many victims were identified or received protection services. Several operations involved large, coordinated raids on fraudulent employment agencies and bar-brothels, each resulting in multiple arrests and possible victims removed from the trafficking situation.

Police often conducted raids on commercial sex establishments with limited intelligence-gathering and ineffective victim identification procedures. The government did not report comprehensive data on the total number of prosecutions initiated, convictions obtained, or sentencing information for trafficking offenses in 2017. However, the public ministry reported its trafficking-related prosecutions resulted in 50 court decisions in 2017, compared with 18 in 2016. Thirty-three of these cases resulted in convictions (13 in 2016). In one case, a court in Cusco issued Peru's longest-ever sentence in a trafficking case—35 years—to a trafficker convicted of subjecting four teenage girls to child sex trafficking. In July 2017, prosecutors opened a case charging two individuals under forced labor and aggravated human trafficking statutes following a June industrial fire at an illegal counterfeiting operation that resulted in the deaths of two workers, including a 17-year-old, who had been locked inside. One U.S. citizen arrested in December 2015 for suspected sex trafficking remained in custody while under investigation in Peru; police arrested an alleged accomplice in April 2017.

The government operated eight specialized anti-trafficking regional prosecutor offices and maintained 147 specialized anti-trafficking police officers. The MOI's overall anti-trafficking budget increased to 7.5 million soles ($2.3 million) in 2017, from approximately 826,000 soles ($255,250) in 2016, the majority of which it spent on police hiring, operations, training, and equipment. Nevertheless, poor communication and coordination between police and prosecutors sometimes compromised efforts to identify and assist victims and investigate cases, especially during law enforcement operations. NGOs and regional officials reported regional police often did not involve the national anti-trafficking police or public ministry in their cases and did not share investigative information with prosecutors. Inadequate budgets for personnel and logistical support, combined with inconsistent regional and local government capacity, hindered law enforcement efforts; this was particularly acute in regions where trafficking occurred in remote locales with limited government presence. In partnership with NGOs and an international organization, officials trained police, prosecutors, and other officials on trafficking, including how to differentiate between sex trafficking and other prostitution-related crimes. The MOI conducted several sessions to certify police officers to train additional law enforcement officials and the public ministry provided training for prosecutors and police. Authorities coordinated with foreign governments on trafficking investigations; the government maintained bilateral counter-trafficking agreements with Bolivia, Colombia, and Ecuador and signed new agreements with Chile and Argentina.

The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. NGOs and government officials reported widespread corruption in Peruvian law enforcement and judicial systems severely hampered anti-trafficking law enforcement efforts. Government officials, NGOs, and victims reported police engaged in extortion and threatened nightclub and brothel owners with sex trafficking charges; they falsely charged victims trying to escape bars or brothels with crimes such as theft or trafficking and accepted money to close investigations, drop charges, or exonerate traffickers, including by compelling victims to sign declarations absolving their traffickers. Some judges and prosecutors may have accepted bribes to downgrade trafficking charges to lesser crimes. Some officials' involvement in the mining industry posed a conflict of interest that impeded law enforcement action against trafficking in mining areas. Government officials and NGOs reported some police officers, including members of the specialized anti-trafficking units, accepted bribes from bar-brothels and illegal mining sites to avoid police anti-trafficking raids. A former member of congress remained under investigation for allegedly operating a hotel where child sex trafficking occurred. The government did not track accusations against or involvement of government officials in trafficking cases.

PROTECTION

The government maintained weak victim protection efforts. Most victims continued to lack access to specialized services. The anti-trafficking law (law 28950) required the government to assist and protect victims by providing temporary lodging, transportation, medical and psychological care, legal assistance, and reintegration assistance, although the government did not fulfill this mandate. Peru's anti-trafficking law and implementing regulations assigned responsibility to several ministries, as well as regional and local governments, for identifying suspected victims among the high-risk populations they served and referring them to appropriate authorities, but government capacity and some local officials' understanding of trafficking was limited and hindered victim identification and assistance. The MOI attempted to address these capacity gaps by providing training for officials, police, and service providers on victim care and protection protocols. Police reported identifying 1,229 suspected victims in 2017, compared with 1,134 identified in 2016, though this number could not be verified. Of these, 1,155 were female and 74 were male; 302 of the total were children.

The Ministry of Women and Vulnerable Populations (MIMP) was responsible for coordinating and providing services to victims in partnership with regional governments, although confusion over whether the national or regional government was ultimately responsible for service provision at times hampered victim assistance. MIMP did not report how many victims received services in 2017. The public ministry's program for victims and witnesses assisted 521 trafficking victims in 2017, compared with 437 trafficking victims assisted in 2016. The government operated two shelters, in Lima and Masuco, exclusively for trafficking victims, with a total capacity of 28 beds. While the government operated 48 residential centers for children and adolescents, staff in these shelters lacked the expertise and resources to provide adequate protection services to trafficking victims. Many civil society organizations operated shelters or provided other services for victims without government support, although few offered trafficking-specific services. Many shelters were in secure locations and victims could not leave unaccompanied. There were no facilities that could accommodate adult male victims and no specialized services for LGBTI victims. Shelter and specialized psychological, employment, and other services remained unavailable in most areas and for most adults and labor trafficking victims.

The law required the government to provide a victim advocate, known as a public defender, to safeguard victims' legal rights, and to provide for witness protection. Because the government did not assign public defenders to victims until the prosecutor officially filed the case, which could take several weeks, many victims, including children, faced questioning from law enforcement and justice officials without this advocate's assistance. The Ministry of Justice reported it provided legal assistance to 394 trafficking victims in 2017 and increased the number of public defenders available for trafficking victims from 217 to 225. Some anti-trafficking operations, however,

were conducted without adequate resources, such as safe places to screen potential victims and provide them immediate care. Coordination problems between ministries often meant services for victims were unavailable immediately following law enforcement operations. Peruvian law granted victims the ability to receive restitution, but the government did not report any victims receiving restitution in 2017. Most victims did not receive sufficient protective services, leaving them at high risk of re-trafficking. Officials cited the lack of adequate protective services as a key impediment to their ability to combat trafficking effectively in the country as victims' needs and safety concerns were not addressed sufficiently. The new national anti-trafficking action plan sought to reduce the risk of re-victimization by including a specific "victim reintegration plan" within the national action plan.

According to an international organization, the government treated foreign victims as refugees, referring them first to the UN, which then assisted them in filing a complaint and seeking government services. It was not clear whether all foreign victims went through this process or how many foreign victims were identified during the reporting period, although MOI reported identifying 59 possible foreign victims (all female). Foreign victims were eligible for temporary and permanent residency status under Peruvian refugee law, but the government did not report if any victims received this status in 2017. The government did not report whether it assisted in the repatriation of any Peruvian victims exploited abroad.

Due to inadequate victim identification procedures, some sex trafficking victims may have remained unidentified and been arrested, detained, or otherwise punished for unlawful acts committed as a direct result of being subjected to trafficking. Authorities often lacked training to identify sex trafficking victims among women in prostitution and authorities often made such determinations based on whether an individual had access to identity documents and a required public health certificate. The government had both inter- and intra-ministerial protocols for providing protection to trafficking victims, but implemented them unevenly due to insufficient resources and poor interagency coordination. At times, the government placed child victims in police stations among children apprehended for crimes, where they sometimes remained for extended periods. These children faced conditions similar to detention, though they were not charged with crimes.

PREVENTION

The government maintained prevention efforts. The interagency commission, which also included NGOs and international organizations, met regularly and produced an annual report of the government's anti-trafficking efforts. The commission finished drafting a new national anti-trafficking action plan for 2017-2021, which took effect in June 2017. Twenty-four regional governments maintained anti-trafficking working groups, which varied in effectiveness. The national government provided technical support and training to some of these groups. The government dedicated 11 million soles ($3.4 million) to its anti-trafficking activities in 2017, an increase from 5.6 million soles ($1.7 million) in 2016. However, although several key ministries, including MIMP and MOI, had funding specifically for anti-trafficking activities, most government agencies did not have dedicated anti-trafficking budgets. Officials noted this lack of funding significantly impacted ministries' ability to implement their duties as outlined in the national action plan, especially victim protection efforts. The government had a separate commission, inter-ministerial protocol, and plan for combating forced labor and child labor, which included greater oversight of employment agencies and strengthened response mechanisms to suspected forced or child labor. The government opened four new regional labor inspection offices in 2017 and continued to conduct inspections on formal businesses and employment and recruitment agencies. In response to the growing number of Venezuelan migrants arriving in Peru since 2016—of which more than 200,000 are expected to remain in Peru as of April 2018—the government created a permanent residence permit for Venezuelans that allowed them to work legally in the country, reducing their vulnerability to trafficking. Approximately 36,000 Venezuelans have received such permits. Various ministries conducted awareness-raising efforts, often in partnership with international organizations and NGOs and with foreign donor funding. Some of these efforts focused on preventing child sex tourism and providing information for reporting suspected abuses. In June 2017, the government entered into a partnership with another government to combat child sex and labor trafficking. The government made efforts to reduce the demand for commercial sex acts involving children by investigating and assisting in prosecutions of child sex tourists. The government introduced a new law to criminalize illegal gold mining, which fuels the demand for trafficking in January 2017, although its impact was not clear. The government provided anti-trafficking training for its diplomatic personnel and for Peruvian peacekeepers prior to their deployment abroad on international peacekeeping missions.

TRAFFICKING PROFILE

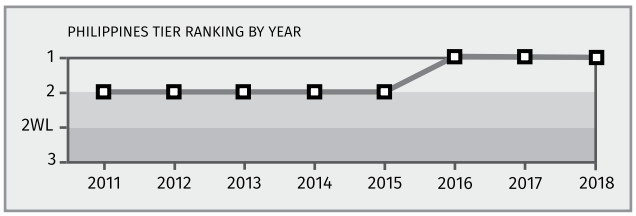
As reported over the past five years, Peru is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Indigenous Peruvians are particularly vulnerable to trafficking. Peruvian women and girls, and to a lesser extent boys, are exploited in sex trafficking within the country, often recruited through false employment offers. Peruvian women and children are exploited in sex trafficking in other countries, particularly within South America, and women and girls from neighboring countries are subjected to sex trafficking in Peru. LGBTI Peruvians, especially transgender women, are vulnerable to sex trafficking. Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of illicit activity, including sex and labor trafficking. The high demand for commercial sex in these towns increases incentives for traffickers to bring in women and girls from various regions in Peru. Women and girls exploited in sex trafficking near mining communities are often indebted due to the cost of transportation and unable to leave due to the remoteness of camps. Tourists from the United States and Europe purchase sex from child trafficking victims in areas such as Cuzco, Lima, and the Peruvian Amazon. In the Loreto region, criminal groups facilitate transportation of foreign tourists by boat to remote locations where women and children are exploited in sex trafficking in venues on the Amazon River.

Peruvian men, women, and children are exploited in forced labor in the country, principally in illegal and legal gold mining and related services, logging, agriculture, brick-making, unregistered factories, counterfeit operations, organized street begging, and domestic service. Peruvians working in artisanal gold mines and nearby makeshift camps that provide services to miners are subjected to forced labor, including through deceptive recruitment, debt bondage, restricted freedom of movement, withholding of or non-payment of wages, and threats and use of physical violence. Forced child labor occurs in begging, street vending, domestic service, cocaine production

and transportation, and other criminal activities. The terrorist group Shining Path recruits children using force and coercion to serve as combatants or guards, and uses force and coercion to subject children and adults to forced labor in agriculture, cultivating or transporting illicit narcotics, and domestic servitude, as well as to carry out its terrorist activities. While the group forcibly recruits children from the surrounding communities, many recent recruits are the children of adult members of the group. Peruvian men, women, and children are subjected to forced labor in other South American countries, the United States, and other countries. The number of Venezuelan migrants, many of whom are vulnerable to exploitation, has increased significantly each year since 2016. Migrants from other parts of South America, China, and Senegal transiting Peru to Brazil were reportedly vulnerable to sex and labor trafficking, as were migrants along Peru's southern border with Chile.

PHILIPPINES: TIER 1

The Government of the Philippines fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the Philippines remained on Tier 1. The government demonstrated serious and sustained efforts by convicting and punishing more traffickers; effectively coordinating identification, referral, and provision of services to more victims; increasing efforts to prevent trafficking of Filipino migrant workers and to assist those who become victims of trafficking overseas; and implementing procedures to reduce the backlog of trafficking cases in the courts. Although the government meets the minimum standards, it did not improve the availability and quality of protection and assistance services for trafficking victims, particularly specialized shelter care, mental health services, access to employment training and job placement, and services for male victims. Further, the government did not vigorously investigate and prosecute officials allegedly involved in trafficking crimes or punish labor traffickers.



RECOMMENDATIONS FOR THE PHILIPPINES

Increase the availability of specialized shelter and mental health services for victims of trafficking, including child victims of online sexual exploitation and male victims; increase efforts to investigate, prosecute, and convict perpetrators of trafficking, particularly complicit officials and labor traffickers; increase resources for anti-trafficking task forces to support coordinated operations, protection services, and timely preliminary investigation and prosecution of trafficking, including in cases involving online sexual exploitation of children; increase efforts to identify and assist child labor trafficking victims; expand the number of victim and witness coordinators to assist anti-trafficking task forces and increase efforts to prevent re-traumatization caused by multiple interviews; expand government support for follow-up services for trafficking victims that facilitate reintegration, including increased access to job training and employment; develop and implement programs aimed at reducing the demand for commercial sex acts, including child sex tourism and online child sexual exploitation; increase efforts to protect children demobilized from armed groups; and implement improved and consistent data collection across agencies.

PROSECUTION

The government maintained law enforcement efforts. The 2003 and 2012 anti-trafficking acts criminalized sex and labor trafficking and prescribed penalties of six years to life imprisonment and fines of up to 5 million pesos ($100,300). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.

During the reporting period, authorities investigated 488 suspected trafficking cases, compared with 553 in 2016. These actions led to the arrest of 283 suspects, an increase from 272 in 2016. During the reporting period, the government initiated prosecution of 177 alleged traffickers (441 in 2016) and convicted 65 traffickers (55 traffickers in 2016). One trafficker was convicted of labor trafficking, compared to no labor trafficking convictions in 2016. Sentences imposed ranged from 12 years to life imprisonment, with most offenders sentenced to life imprisonment. The government filed no criminal cases to punish the recruitment and use of child soldiers by armed groups operating in areas affected by intensified violence.

During the year, the supreme court issued revised guidelines for continuous trial of criminal cases to streamline the litigation process; however, endemic inefficiencies and, in some cases, corruption, left nearly 1,200 trafficking cases pending in the judicial system. The government's use of plea agreements in the conviction of 19 traffickers in seven trafficking cases involving online sexual exploitation of children reduced the potential for re-traumatization of child victims who served as witnesses as well as the litigation time; however, the government did not implement measures to reduce the re-traumatization of victims throughout all investigations and prosecutions. While the government increased funding for equipment and facilities for the Philippine National Police Women and Children's Protection Center from 23 million pesos ($461,390) in 2017 to 106 million pesos ($2.1 million) in 2018, support for anti-trafficking task forces declined as the number of prosecutors assigned to the task forces decreased from 240 in 2016 to 203 in 2017. In addition, a lack of equipment and resources for logistics limited the capacity of trafficking task forces to conduct enforcement operations. With support from foreign law enforcement, NGOs, and international organizations, the government conducted more operations to remove child victims of online sexual exploitation from exploitative situations and convicted more perpetrators of this crime. These cases continued to present challenges including difficulty in obtaining timely search warrants, inadequate prosecutorial resources dedicated to preliminary investigations, logistics, and computer evidence analysis, as well as the limited amount of case law pertaining to this form of human trafficking. Late in the reporting period, the Interagency Council Against Trafficking (IACAT) released new guidelines on data collection and monitoring for its member agencies, but inconsistencies in data collected by agencies and a lack of case-specific information continued to impede analysis of enforcement and protection efforts. With donor support, the IACAT also introduced and pilot tested a case management system for prosecutors working with 16 anti-trafficking task forces to facilitate monitoring of prosecutions. To facilitate

evidence collection in online child sexual exploitation and child pornography cases, a second municipality enacted an ordinance requiring money transfer outlets to preserve customer information and transaction data and to provide it to authorities investigating such cases.

The government sustained its efforts to provide anti-trafficking training to its officials by supporting the provision of basic and advanced skills training through 238 programs that included a focus on the investigation and prosecution of cases involving forced labor, child soldiers, child victims of online sexual exploitation, as well as the provision of trauma-informed care in residential facilities. The IACAT and regional anti-trafficking task forces conducted 61 anti-trafficking training programs and the IACAT member agencies provided in-kind support for 177 donor-funded training programs that trained a total of 6,400 local, regional, and national government officials, including law enforcers, prosecutors, judges, and social service personnel in 2017. Philippine officials continued to cooperate with other governments to pursue international law enforcement action against suspected foreign traffickers in six cases.

The government did not convict any officials for complicity in trafficking despite continued reports of corruption at all levels of government during the reporting period and officials investigating several cases. The government reported initiating administrative investigations of six Bureau of Immigration (BI) employees for immigration act violations, such as permitting at least 24 female domestic workers to depart for the Middle East with tourist visas, and a government official for irregularly issuing an overseas employment certificate to a female hired by the official to work as a personal employee overseas. In addition, the government initiated an investigation of two BI employees for trafficking a female victim in the Middle East. The government did not provide information on the trafficking prosecution of two police officers and a Department of Foreign Affairs (DFA) official whose cases were pending in 2017.

PROTECTION

The government increased protection efforts. Through law enforcement activities, the government identified 1,839 potential victims of trafficking, of whom 1,422 were females and 410 were children. The Department of Social Welfare and Development (DSWD) reported serving 1,659 possible trafficking victims, of whom 1,139 were female, compared with 1,713 victims in 2016. DSWD reported assisting 516 victims of sex trafficking, 646 victims of labor trafficking, and 298 victims of illegal recruitment, compared with 465 victims of sex trafficking, 232 victims of labor trafficking, and 530 victims of illegal recruitment the prior year. Through its recovery and reintegration program for trafficked persons, DSWD provided psycho-social support, medical services, legal assistance, livelihood assistance, skills training, and reintegration services to identified victims and led implementation of the national referral system. The government allocated 24.8 million pesos ($497,500), an increase of approximately 1.8 million pesos ($36,110), to implement this program. DSWD also continued to operate 44 residential care facilities that provided services to victims of trafficking and other forms of exploitation. Of these facilities, 24 served children, 12 served women, and one served both women and men. No DSWD shelter is designated solely for the specialized care of trafficking victims. The government provided 419 victims with temporary shelter in a DSWD residential care facility, an NGO facility, or in a local government shelter. The government also provided an unknown amount of support for two NGO-operated halfway houses at border entry points and a facility in the national capital region that serves as a safe space and processing center where law enforcement officials, working with DSWD, interviewed suspected victims immediately after they were removed from a trafficking situation during an enforcement operation. Department of Labor and Employment Relations (DOLE) removed 58 children from hazardous or exploitative working situations, including one child domestic servant, and referred some of these families for livelihood assistance. Available shelter and other assistance services such as mental health services, community reintegration, job training, and access to employment remained inadequate to address the specific needs of trafficking victims, including child victims of online sexual exploitation and male victims.

The government increased its resources and provided robust services for Filipino victims abroad. The Department of Foreign Affairs (DFA), in coordination with DSWD social welfare attaches and DOLE labor attaches deployed in Philippine embassies, assisted 1,476 potential Filipino trafficking victims in the Middle East, Asia, and Europe. The government maintained a temporary shelter for male Filipino victims in Saudi Arabia and migrant resource centers in three other countries where the government admitted 1,097 Filipinos, of whom 1,019 were lured illegally for work in the United Arab Emirates. DFA increased its allocation for the Assistance to Nationals (ATN) Fund from 400 million pesos ($8 million) to 1 billion pesos ($20.1 million) and its Legal Assistance Fund (LAF) from 100 million pesos ($2 million) to 200 million pesos ($4 million). In 2017, DFA disbursed 22.7 million pesos ($455,380) from its ATN Fund, which covered airfare, meal allowance, medical care, and other needs of nearly 15,000 trafficking victims; this represented an increase of more than 21 million pesos ($421,270). In 2017, DFA revised its LAF guidelines to establish priority funding for legal assistance to trafficking victims and it expended 92 percent of its budget by the end of the year. Through its hotline, the Commission of Filipinos Overseas (CFO) assisted 61 possible victims utilizing 5.3 million pesos ($106,320) allocated by the IACAT. The Philippine Overseas Employment Administration (PEOA) reported identifying 140 adult trafficking victims, all but two of whom were victims of domestic servitude, but did not report information about services provided to these victims. The government continued to implement formal procedures to identify trafficking victims in the Philippines and overseas and to refer them to official agencies or NGO facilities for care. As a result, DSWD social workers and representatives of the Overseas Workers Welfare Authority, working in coordination with anti-trafficking task forces, assisted 2,149 repatriated and 15 deported Filipino workers.

During the reporting period, the government supported victims who served as witnesses during trials by providing assistance, security, and transportation. Continuing a donor-supported pilot program, two Department of Justice (DOJ) victim-witness coordinators assisted victims whose cases were investigated and prosecuted by anti-trafficking task forces. The IACAT operations center reported assisting 81 witnesses, 51 of whom were minors. Under its witness protection program, justice officials protected 74 victims from reprisals by providing security, immunity from criminal prosecution, housing, livelihood and travel expenses, medical benefits, education, and vocational placement. Judicial officials awarded damages to victims in amounts ranging from 100,000 pesos ($2,010) to 500,000 pesos ($10,030); however, victims were often unable to navigate the complex legal process required to obtain the restitution from convicted traffickers. NGOs confirmed government officials did not punish victims for unlawful acts committed as a result of being subjected to trafficking. Adult victims residing in shelters were permitted

to leave unchaperoned, provided there were no threats to their personal security or psychological care issues. While the government did not identify foreign victims in the Philippines during the reporting period, it had long-term alternatives to deportation of victims to countries where victims may face hardship or retribution.

In the Autonomous Region in Muslim Mindanao, where an estimated 420,000 persons were displaced during the reporting period due to intensified violence and reports of recruitment and use of child soldiers by armed groups continued, the government declared martial law on May 23, 2017, and extended it into 2018. There were reports soldiers of the Armed Forces of the Philippines detained and interrogated children, and in one instance tortured a child, suspected of associating with armed groups; however, the government did not provide information regarding efforts to investigate these allegations or efforts to provide services or reintegrate children subjected to soldiering.

PREVENTION

The government increased its efforts to prevent trafficking. The IACAT, which was chaired by the secretaries of DOJ and DSWD and included the heads of the key anti-trafficking agencies and three NGO members, met three times during the year and approved 13 resolutions setting policy and approving interagency protocols, including approval of the government's third strategic action plan against human trafficking (2017–2021), as well as the national systems for referral, case management, and data collection. In addition, 24 anti-trafficking regional and municipal task forces met regularly during the reporting period to share information and coordinate interagency activities. The IACAT's budget increased from 93.88 million pesos ($1.88 million) in 2016 to 95.28 million pesos ($1.91 million) in 2017. The IACAT and its member agencies led national and regional trafficking awareness raising events. The CFO continued its national prevention campaign and reached approximately 8,000 persons. The POEA conducted 29 seminars for 3,400 law enforcement and other officials on how to detect illegal recruitment and amplified these efforts by training 2,825 officials and NGO partners to provide such training locally. During the reporting period, 722,132 individuals completed pre-employment seminars that provided information about worker protection, legal recruitment, and government services available to overseas foreign workers. Recognizing the increased vulnerability of people living in conflict-affected areas of Mindanao, DOLE and local government officials conducted orientation and trafficking awareness campaigns attended by 820 university students, community leaders, and local officials.

POEA developed a database of persons known to be involved in trafficking or illegal recruitment and delisted recruitment agencies for use by the relevant enforcement agencies. National Bureau of Investigation and POEA officials investigated 309 cases of alleged illegal recruitment in 2017, and eight cases resulted in a conviction, compared with 356 investigations and four convictions in 2016. The POEA filed 2,014 administrative charges against licensed agencies for fraudulent employment or exorbitant fees, resulting in the cancellation of 33 agencies' licenses. The BI Travel Control and Enforcement Unit continued to screen departing passengers and deferred the departure of 29,357 passengers due to incomplete or missing travel documents or misrepresentation, referred 104 potential cases of suspected trafficking to IACAT task forces for further investigation, and identified 55 possible victims of illegal recruitment. Despite stopping 168 foreign registered sex offenders from entering the country, local and foreign demand for the country's vast commercial sex trade remained high and the government's efforts to reduce the demand for commercial sex acts were negligible. During 2017, the government signed a regional anti-trafficking convention, led the drafting of its plan of action, and entered into a partnership with another government aimed at addressing child trafficking. The DFA also reviewed 30 bilateral labor agreements with other countries and signed five agreements aimed at reducing the vulnerability of Filipinos working overseas. The government also banned the issuance of new contracts for work in Kuwait following reports of the alleged murder of a Filipina domestic worker there and provided air transport for Filipino workers who wished to return to the Philippines. The government provided anti-trafficking training to Philippine troops prior to their deployment abroad on international peacekeeping missions. The DFA provided training on trafficking and guidelines on the employment of personal staff for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, the Philippines is a source country and, to a lesser extent, a destination and transit country for men, women, and children subjected to sex trafficking and forced labor. An estimated 10 million Filipinos reside or work abroad and the government processes approximately 2.3 million new or renewed contracts for Filipinos to work overseas each year. A significant number of these migrant workers are subjected to sex and labor trafficking—predominantly via debt bondage—in the fishing, shipping, construction, education, home health care, and agricultural industries, as well as in domestic work, janitorial service, and other hospitality-related jobs, particularly in the Middle East and Asia, but also in all other regions. Traffickers, typically in partnership with local networks and facilitators, engage in illegal recruitment practices that leave migrant workers vulnerable to trafficking, such as charging excessive fees, producing fraudulent travel and contract documents, and confiscating identity documents. Illegal recruiters use student, intern, exchange program, and tourist visas, as well as travel through other countries to circumvent the Philippine government and destination countries' legal frameworks for foreign workers. Traffickers also recruit Filipinos already working overseas through fraudulent offers of employment in another country.

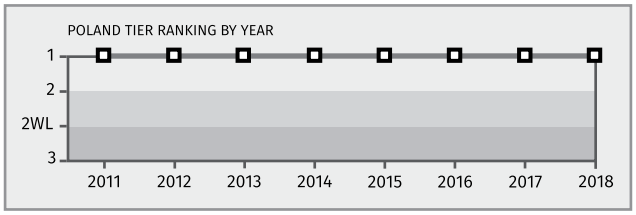
Forced labor and sex trafficking of men, women, and children within the country remains a significant problem. Women and children from indigenous communities and remote areas of the Philippines are the most vulnerable to sex trafficking, and some are vulnerable to domestic servitude and other forms of forced labor. Men are subjected to forced labor and debt bondage in the agricultural, fishing, and maritime industries. Persons displaced due to the conflict in Mindanao, Filipinos returning from bordering countries without documents, and internally displaced persons in typhoon-affected communities are vulnerable to domestic servitude, forced begging, forced labor in small factories, and sex trafficking in Metro Manila, Metro Cebu, central and northern Luzon, and urban areas in Mindanao. Sex trafficking also occurs in tourist destinations, such as Boracay, Angeles City, Olongapo, Puerto Galera, and Surigao, where there is a high demand for commercial sex acts. Although the availability of child sex trafficking victims in commercial establishments declined in some urban areas, child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. In addition, young Filipino girls and boys are increasingly induced to perform sex acts for live internet broadcast to paying foreigners in other countries; this typically occurs in private

residences or small internet cafes, and may be facilitated by victims' family members and neighbors. NGOs report high numbers of child sex tourists in the Philippines, many of whom are citizens of Australia, Japan, the United States, Canada, and countries in Europe; Filipino men also purchase commercial sex acts from child trafficking victims. Organized crime syndicates allegedly transport sex trafficking victims from China through the Philippines en route to other countries. The UN reports armed groups operating in the Philippines, including the New People's Army, Maute Group, the Moro National Liberation Front, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters recruit and use children, at times through force, for combat and noncombat roles; the Islamic State is reported to subject women and girls to sexual slavery.

Officials, including those in diplomatic missions, law enforcement agencies, and other government entities, allegedly have been complicit in trafficking or allowed traffickers to operate with impunity. Some corrupt officials, particularly those working in immigration, allegedly accept bribes to facilitate illegal departures for overseas workers, reduce trafficking charges, or overlook illegal labor recruiters. Reports in previous years asserted police conduct indiscriminate or fake raids on commercial sex establishments to extort money from managers, clients, and victims. Some personnel working at Philippine embassies reportedly withhold back wages procured for their domestic workers, subject them to domestic servitude, or coerce sexual acts in exchange for government protection services.

POLAND: TIER 1

The Government of Poland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Poland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations and prosecutions. The government also enhanced penalties for recruiters charging excessive recruitment fees and increased efforts to protect foreign workers. Although the government meets the minimum standards, it still had challenges identifying forced labor and child trafficking victims and prosecuting labor trafficking cases.



RECOMMENDATIONS FOR POLAND

Sentence convicted traffickers to penalties proportionate with the severity of the crime; increase training for prosecutors and judges on the severity of the crime and the importance of prosecuting under the anti-trafficking statute; vigorously investigate and prosecute trafficking crimes, particularly forced labor cases; increase training of law enforcement on investigating and prosecuting labor trafficking cases and consider creating specialized prosecution units for trafficking crimes; improve training and efforts to identify victims proactively, particularly among unaccompanied children, migrants, and children exploited in prostitution; increase referrals of victims to services and the witness protection program; provide specialized services for child victims; educate and incentivize foreign victims to enroll in the witness protection program and assist prosecution; increase training for labor inspectors on trafficking indicators; facilitate victims' access to compensation by encouraging prosecutors to request restitution during criminal cases and systematically informing victims of their right to pursue civil suits against their traffickers; and improve central operational coordination and data collection for anti-trafficking activities.

PROSECUTION

The government increased law enforcement efforts. Article 189a of Poland's penal code criminalized sex and labor trafficking and prescribed punishments of three to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In addition, Article 203 criminalized inducing an adult into prostitution through force, fraud, or coercion, and Article 204.3 criminalized inducing a child into prostitution; both articles prescribed punishments of one to 10 years imprisonment.

The government lacked a central mechanism to cross-reference and consolidate law enforcement statistics, and it only considered convictions and sentences issued after appeals to be final. Authorities initiated 27 investigations under Article 189a in 2017, compared with 31 in 2016 and 30 in 2015. In 2017, 34 prosecutorial investigations conducted involved forced labor (12 in 2016 and 17 in 2015). Authorities reported prosecuting 47 suspected traffickers under Article 189a in 2017 (30 in 2016 and 23 in 2015). First-level courts issued six convictions under Article 189a in 2016 (33 in 2016 and 36 in 2015). In addition, first-level courts issued 24 convictions (15 in 2016) under Article 203. In 2016, the most recent year for which post-appeal judgments were available, judges issued a total of 58 final convictions (58 in 2015, 37 in 2014, and 41 in 2013). Courts upheld 34 convictions under Articles 189a and 253 (30 in 2015 and nine in 2014). Courts also upheld seven convictions under Article 204.3 (12 in 2015). In addition, there were 17 upheld convictions for forced prostitution under Article 203 (16 in 2015). One trafficker received a fine instead of a prison sentence. Prison terms imposed ranged from less than one year to up to eight years. Fifty-five percent of sentences were for two years or less (58 percent in 2015 and 78 percent in 2014); two for seven to 11 months; 10 for one year; 14 for one to two years; five for two years. Authorities suspended 43 percent of prison sentences for trafficking convictions (45 percent in 2015 and 62 percent in 2014), including two sentences for seven to 11 months, ten for one year, and 12 for one to two years. The justice ministry began drafting new legislation in 2016 to reduce the number of suspended sentences on trafficking cases, but did not pass it in 2017.

Authorities provided training on victim identification to police, border guards, 154 consular officers (189 in 2016), 30 labor inspectors (99 in 2016), 94 employees of crisis intervention centers (79 in 2016), and 13 officials who interview asylum-seekers (11 in 2016). The border guard organized training for 410 officers on standard operating procedures for assisting child victims of trafficking, compared with 2,065 in 2016. Police and prosecutors, however, acknowledged authorities lacked the expertise to identify forced labor victims and child victims. During 2017, authorities held trafficking training sessions for 111 prosecutors and judges, compared with 236 in 2016.

The government did not report any investigations, prosecutions,

or convictions of government employees complicit in trafficking offenses. Authorities collaborated on investigations with counterparts in several foreign countries and requested extradition of two Bulgarian citizens on trafficking-related charges. Despite NGOs assisting more than 82 victims of forced labor, authorities reported there were very few prosecutions for forced labor for several reasons: law enforcement had difficulty identifying this type of crime, there was no clear definition of what constitutes forced labor in the Polish criminal code, prosecutors and judges often lacked expertise in labor trafficking cases, and victims were often unwilling to testify against their traffickers.

PROTECTION

The government maintained protection measures. Law enforcement identified 155 potential trafficking victims during the reporting period (compared with 144 in 2016), of which 21 joined the nationwide witness and victim protection program. The National Intervention-Consultation Center for Victims of Trafficking (KCIK) provided assistance to 169 potential victims, including 10 minors, in 2017, compared with 200 in 2016 and 229 in 2015. Of these potential victims, 74 were for forced labor; 50 sexual exploitation and abuse; 25 violation of workers' rights; four forced begging; four inhumane or degrading treatment; three domestic violence; three combined sexual exploitation and forced labor; two domestic slavery and violence; one sexual exploitation and violence; one domestic slavery, sexual exploitation and forced labor; one forced marriage; and one forced labor and slavery-like conditions. KCIK offered victims medical and psychological care, legal counseling, shelter referrals, and welfare support. KCIK included two shelters for adult female victims and one shelter for male victims that opened in the reporting period. The shelters housed a combined total of 46 victims in the reporting period. KCIK arranged accommodations for an additional 61 victims, using crisis centers, hotels, and hostels for this purpose. Victims also could receive comprehensive assistance (social, medical, psychological, and legal) in 17 crisis intervention centers operated and funded by local governments, where staff were trained in assisting trafficking victims. The government did not report the number of trafficking victims served by these non-specialized centers. In addition to KCIK services, all foreign victims from outside the European Economic Area (EEA) formally identified by law enforcement were entitled to social welfare benefits, including crisis intervention assistance, shelter, meals, necessary clothing, and financial assistance; 11 non-EEA national victims received assistance through the welfare system during the first six months of 2017. EEA victims had access to the full scope of welfare benefits offered to Polish citizens. Non-EEA national victims had access to services to normalize their presence in Poland. The government did not have facilities available to provide specialized care to child victims, who typically were placed in orphanages or with foster families. Observers reported orphanages often were not well prepared to assist child victims of trafficking. In 2017, law enforcement did not refer any child victims to the national referral program. The border guard had a formal procedure for screening unaccompanied children for trafficking, but NGOs and academics reported there was no clear system of assistance to meet the needs of unaccompanied children.

In 2017, the government allocated 1.1 million zloty ($315,820) to two NGOs that run KCIK, which covered the majority of operating expenses; this was the same amount allocated in 2016 and 2015. The government allocated 79,800 zloty ($22,910) to train welfare assistance personnel on assisting trafficking victims and witnesses, compared with 78,000 zloty ($22,390) in 2016.

The government's witness protection program provided foreign victims with a temporary residence permit, medical and psychological care, legal assistance, and shelter for those who cooperated with a prosecution; this program also provided for a victim's repatriation. The government enrolled 21 trafficking victims into this program in 2017, compared with 39 in 2016 and 38 in 2015; from 2012 to 2014, the government enrolled at least 56 victims each year. Foreign victims were entitled to a three-month reflection period, during which they could stay legally in Poland to decide whether to assist in the criminal process; 12 victims used this reflection period in 2016 (23 in 2016 and 33 in 2015). Foreign victims were eligible for a residency permit valid for up to three years and were entitled to work; victims could also apply for permanent residency and were protected against deportation. Foreign victims were eligible for repatriation and may receive assistance upon return to their country of origin; the assistance did not depend on cooperation with law enforcement. In 2017, the government, in cooperation with an international organization, assisted four trafficking victims to return to their home countries (seven in 2016). In 2017, 35 foreign victims who joined the witness protection program agreed to participate in the prosecution of their traffickers (23 in 2016 and 27 in 2015). Polish law permitted victims to provide testimony via video or written statements; however, in cases where victims left Poland, judges often requested additional testimony that resulted in a longer and more complicated legal process. Media reports indicated North Korean laborers in the country were highly vulnerable to forced labor and showed indicators of trafficking. One ongoing prosecutorial investigation involved suspected forced labor of 107 North Korean potential victims in the agricultural sector with trafficking indicators, such as workers paying money to middlemen in advance to obtain employment. None of the workers were referred to services. The labor inspectorate inspected all companies employing North Korean workers, but did not report finding actionable evidence to justify recommending formal law enforcement investigations. Officials acknowledged inspections usually were confined to paperwork and investigators typically relied on translators provided by employers. Victims could file civil suits against traffickers, prosecutors could request restitution, and judges could order compensation for victims in criminal cases. Prosecutors rarely requested compensation. No victims received court ordered restitution in criminal cases in 2016 or 2017.

PREVENTION

The government increased prevention efforts. The government allocated 135,000 zloty ($38,760) for the implementation of the 2016-2018 action plan, a 43 percent decrease from 235,000 zloty ($67,470) allocated in 2016, but the same amount as allocated in 2015 for the 2013-2015 plan. The interior ministry continued to lead the inter-ministerial anti-trafficking team, which met twice during the reporting period, as well as a working-level group of experts and NGOs, which met four times to coordinate efforts and develop national policies. During the reporting period, provincial-level interagency anti-trafficking teams in all 16 regions conducted prevention and public awareness campaigns, and organized trafficking-related trainings and conferences for NGOs and professional associations. In September, the interior ministry published a report analyzing the child identification system and offering recommendations for enhancing the capacity of law enforcement to better identify child victims. The interior ministry approved an assessment of the government's anti-trafficking activities in February 2018,

but had not make it publicly available by the end of March 2018. The government lacked a central mechanism to cross-reference and consolidate trafficking-related statistics, hindering officials' ability to assess the scope of trafficking in Poland and the efficacy of law enforcement efforts.

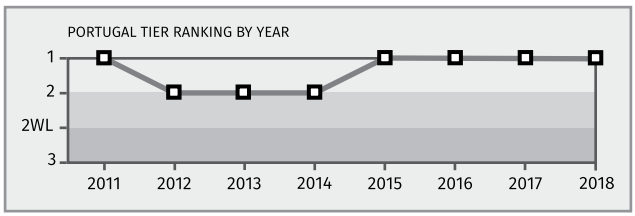
The government sponsored information campaigns on human trafficking, several of which focused on forced labor, and targeted students, migrant workers in Poland, at-risk Polish communities, and Poles seeking work abroad. The ministry of interior's web portal continued to operate, offering information on prevention, the system of victim support, and relevant statistics and publications. A government-funded NGO operated a hotline (10 hours per day on weekdays and 24 hours per day on weekends) for trafficking victims and witnesses, which received approximately 9,600 calls during the reporting period. In June 2017, the government increased the minimum fine for recruitment agencies operating without a license and agencies charging excessive fees for job placement and mandated agencies provide foreigners with a copy of their employment agreement in their own language, as well as their rights and responsibilities as workers in Poland. The government also enhanced local regulatory control over the simplified procedure of hiring foreigners from six countries in the region, which came into effect in January 2018; local authorities could ban employers previously convicted of trafficking from hiring foreigners. The government did not confirm whether any employers were banned in the reporting period. The National Labor Inspector identified 51 job recruiting agencies operating illegally during the reporting period, but did not report taking punitive action. To help address experts' concerns that Poland may become a destination country for child sex tourism, the government continued to operate an NGO-designed internet platform for reporting cases of child sex trafficking. The government made efforts to reduce the demand for commercial sex acts and forced labor during the reporting period. The government provided training for several foreign governments on anti-trafficking measures.

TRAFFICKING PROFILE

Poland is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking is increasing in Poland; victims originate from Europe, Asia, and Africa. There is an increasing vulnerability to labor trafficking among Poland's growing Ukrainian and Belarusian migrant populations, particularly in restaurants and construction, and North Korean migrant workers, particularly in shipyards, construction, and agriculture. Children, particularly Roma, are recruited for forced begging in Poland. Men and women from Poland are subjected to forced labor in Europe, primarily Western and Northern Europe. There is an increasing number of Polish victims of forced labor for construction in the United Kingdom. Women and children from Poland are subjected to sex trafficking within the country and also in other European countries. Women and children from Eastern Europe, particularly Bulgaria, Romania, and Ukraine, are subjected to sex trafficking in Poland. A growing number of Vietnamese victims transit Poland en route to Western Europe after being subjected to labor trafficking in Russia.

PORTUGAL: TIER 1

The Government of Portugal fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Portugal remained on Tier 1. The government demonstrated serious and sustained efforts by increasing the number of investigations, training more law enforcement personnel, and sentencing the majority of convicted traffickers with strong penalties. The government approved its fourth national action plan for 2018 to 2021. Although the government meets the minimum standards, it prosecuted significantly fewer traffickers, identified significantly fewer victims, and lacked specialized services for child victims.



RECOMMENDATIONS FOR PORTUGAL

Increase proactive identification of victims, particularly adult and child sex trafficking victims; increase resources for law enforcement and labor inspectors monitoring for labor trafficking; increase prosecutions and convictions of traffickers; provide specialized shelter and assistance for child trafficking victims; increase victim identification training within the health care sector, specifically for victims of sexual exploitation; continue to increase and document use of victim services, such as shelters and residence permits, and ensure availability of a sufficient number of places to accommodate all victims in need of shelter; continue to train immigration and social workers, law enforcement, labor inspectors, and NGOs on victim identification and referral; strengthen monitoring and regulation of temporary employment agencies, including employing and recruiting domestic workers; and increase efforts to reduce the demand for commercial sex.

PROSECUTION

The government maintained law enforcement efforts. Article 160 of the penal code criminalized sex and labor trafficking and prescribed penalties of three to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Article 159 prohibited slavery and prescribed penalties of five to 15 years imprisonment. Article 175 prohibited child sex trafficking, with penalties of one to 10 years imprisonment, although it classified these crimes as pimping rather than trafficking.

In 2017, the government investigated 103 potential trafficking cases, compared with 83 in 2016. Authorities did not report how many cases involved labor or sex trafficking. In 2017, authorities prosecuted 45 defendants in 12 cases, compared with 77 defendants in nine cases prosecuted in 2016. Courts convicted and sentenced 12 traffickers in 2017 (one sex trafficking and 11 forced labor), compared with 15 convictions in 2016. Eleven out of the 12 sentences issued were more than one year imprisonment, and the average sentence was seven and a half years imprisonment. Authorities suspended only one sentence compared with five in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The judiciary police provided training in investigations and victim identification to 40 of its senior officials and 80 mid-level officials. The office of the attorney general reported more than 100 prosecutors

received anti-trafficking training in 2017. The immigration and border service provided victim identification training to 60 border officers and 44 new border officers received anti-trafficking training as part of their initial training. The national rapporteur held training programs for first responders in districts vulnerable to labor trafficking, including police, social workers, and health professionals. Authorities cooperated with Ireland, Romania, Spain, and the United Kingdom on international trafficking cases during the reporting period.

PROTECTION

The government maintained protection efforts. The government's national referral system coordinated victim assistance efforts between law enforcement and government-supported NGOs. During the reporting period, the government, with input from two NGOs, updated the referral system process to streamline communication between law enforcement and victim assistance providers and to ensure all stakeholders were represented nationwide. The government's anti-trafficking agency provided a checklist to law enforcement, NGOs, health care professionals, and social workers on identifying victims of forced prostitution, forced labor, and forced begging and criminality. The government also provided victim identification guidelines to labor inspectors. Civil society reported the health care sector lacked sufficient training on identification for victims of sexual exploitation.

Upon encountering a potential victim, law enforcement personnel conducted an initial standardized risk assessment; individuals deemed vulnerable or at risk were referred to one of five regional multidisciplinary NGO teams to receive specialized shelter and assistance. The multidisciplinary teams comprised psychologists and social workers. First responders and social service providers could refer potential victims to services, but only law enforcement officials could officially "confirm" an individual a victim of trafficking. GRETA reported there was no timeline for authorities to confirm official victim status; the process depended on the duration of the related prosecution. In 2017, authorities identified 171 potential victims and four confirmed victims, compared with 143 potential and 118 confirmed victims in 2016. Potential victims received the same access to services as confirmed victims. In 2017, the government provided approximately €1 million ($1.2 million) to shelters and the multidisciplinary regional teams, the same amount as 2016. Victims and their minor children had the right to shelter, health care, psycho-social, legal, and translation and interpretation services, as well as education and employment training. The three government-funded NGO-operated shelters were exclusively for trafficking victims—two for female victims and their minor children and one for adult male victims. GRETA reported the shelters could each accommodate a limited number of victims and noted a growing need for additional shelter places. Adult victims could leave the shelters at will unless authorities determined victims' safety was at risk. There were no specialized services for child trafficking victims; child victims instead received care under Portugal's child protection system and were placed in institutions if they could not be placed with family members. The government reported it would open a fourth shelter solely for child trafficking victims in 2018. The shelter would offer comprehensive assistance tailored to child victims. The government, working through its five regional anti-trafficking teams, conducted 303 training and awareness sessions (220 in 2016), which reached 70,487 beneficiaries, including health care professionals, law enforcement, lawyers, social services professionals, and students.

The government could offer witness protection to victims participating in trials; victims could testify by deposition or videoconference and had access to medical and psychological services to prevent re-traumatization. The government offered victims a reflection period of 30 to 60 days, during which they could recover before deciding whether to cooperate with law enforcement. The law also provided for a one-year residence permit for victims based on cooperation with law enforcement or a personal situation regarding their security, health, family situation, or vulnerability; this permit could be renewed indefinitely. Civil society reported the need for expedited issuance of residency permits for victims. Portuguese law allowed victims to seek compensation from and file criminal proceedings against their traffickers; victims may seek compensation from the government if the convicted trafficker was unable to pay the awarded restitution. The government did not report whether any victims received compensation from their traffickers or the government. There were no reports the government penalized victims for unlawful acts committed as a result of being subjected to trafficking; however, GRETA reported the lack of a specific provision in Portuguese law protecting victims from prosecution for acts they were coerced to commit could leave victims vulnerable to individual prosecutors' decisions to bring charges.

PREVENTION

The government maintained prevention efforts. The government maintained a multi-stakeholder anti-trafficking network, including a national rapporteur, representatives from various government agencies, and three NGOs. In March 2018, the government approved the fourth national action plan for 2018 to 2021. The plan was created with input from the full anti-trafficking network and focused on victim assistance, awareness, and combating criminal networks. The government's anti-trafficking was expected to publish an annual report and issued three internal quarterly reports detailing the trafficking situation in the country. The multidisciplinary regional teams held awareness campaigns on sexual and labor exploitation throughout the reporting period. According to the rapporteur, labor authorities increased inspections in areas where persons are vulnerable for exploitation, particularly places of agricultural activity, construction sites, catering facilities, and nightlife establishments. However, a trade union representing labor inspectors reported to the media there was a lack of resources to inspect farms for forced labor. The government screened vetted visa applicants' work contracts and travel documents. GRETA noted, however, a need to strengthen monitoring and regulation of temporary employment and recruitment agencies, especially those employing and recruiting domestic workers. The government continued to conduct a corporate social responsibility campaign to address labor exploitation, which targeted Portuguese companies' supply chains. The government did not make efforts to reduce the demand for commercial sex. Laws prohibiting sexual crimes against children had extraterritorial reach, allowing the prosecution of suspected child sex tourists for offenses committed abroad; there were no reported investigations of Portuguese citizens engaging in child sex tourism abroad. The government provided anti-trafficking training to its diplomatic personnel and peacekeeping troops.

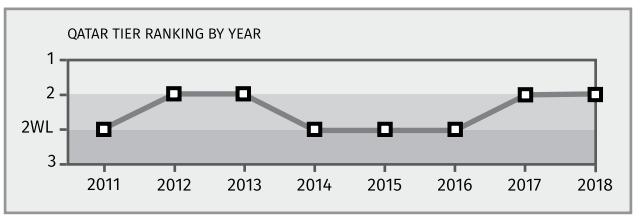
TRAFFICKING PROFILE

As reported over the past five years, Portugal is a destination, transit and, to a lesser extent, source country for men, women, and children subjected to forced labor and sex trafficking. Trafficking victims primarily originate from West Africa, Eastern

Europe, Asia, and, to a lesser extent, Latin America. Most victims are subjected to forced labor, with seasonal migrant workers especially vulnerable. Foreign labor trafficking victims are exploited in agriculture, construction, and domestic service, while Portuguese victims are exploited in restaurants, agriculture, and domestic service, primarily in Portugal and Spain. Poor and uneducated Portuguese in the country's rural interior are especially vulnerable to forced labor networks in Spain, which may extend into Northern and Eastern Europe. Authorities noted an increase in recent years in the number of labor trafficking victims from Bangladesh, India, Nepal, and Pakistan. Foreign women and children, mostly from Africa and Eastern Europe, and Portuguese women and children are subjected to sex trafficking within the country. Portuguese victims have also been subjected to sex trafficking in other countries, mostly in Europe. Children from Eastern Europe, including those of Roma descent, are subjected to forced begging and forced criminal activity in Portugal. Authorities report traffickers bring women and children, many from West Africa, to Portugal to claim asylum and obtain false documents before bringing them to other European countries to be exploited in sex trafficking. Portugal is being used as a new route into the Schengen area by Sub-Saharan African criminal networks trafficking children for both sexual exploitation and forced labor.

QATAR: TIER 2

The Government of Qatar does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Qatar remained on Tier 2. The government demonstrated increasing efforts during the reporting period by enacting the Domestic Worker Law to better protect domestic workers and a labor law amendment to overhaul the onerous labor court system and establish Labor Dispute Resolution Committees (LDRC). Substantial progress was made towards implementing the electronic contracting system and new labor dispute panels designed to greatly accelerate resolution of labor dispute cases. It strengthened enforcement on prohibitions against passport retention and substantially increased the number of investigations and prosecutions of forced labor cases and trafficking-related crimes. It also signed major agreements with an international body and a foreign government committing itself to a substantial number of additional reforms and the elimination of remaining restrictions on movement. The government, however, did not meet the minimum standards in several key areas. It did not report prosecuting any Qatari employers or recruitment agencies for forced labor. The government often did not investigate for trafficking indicators such as passport retention, labor violations, and complaints of abuse, and authorities reportedly arrested, detained, and deported potential trafficking victims for immigration violations or for fleeing their employers or sponsors. The government did not provide data on the number of victims it identified or assisted, and it did not hold complicit officials criminally accountable.



RECOMMENDATIONS FOR QATAR

Increase efforts to investigate indicators of trafficking, prosecute trafficking offenses, and convict and punish traffickers, particularly for forced labor crimes, under the anti-trafficking law; continue to implement reforms to the sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers; fully implement reforms to protect migrant workers from abusive practices and working conditions that may amount to forced labor; fully implement the new domestic worker law, which conforms with international standards, and extend full labor law protections to domestic workers; continue to implement the new LDRCs to expedite cases pertaining to contract or employment disputes; continue to implement the electronic contracting system to reduce instances of contract substitution; strengthen enforcement of the law criminalizing passport retention; ensure the Wage Protection System (WPS) covers all companies, including small and medium-sized companies, joint ventures, and foreign-owned companies; consistently apply formal procedures to identify victims of all forms of trafficking proactively among vulnerable groups, such as those arrested for immigration violations or prostitution or who flee abusive employers; collect and report data pertaining to the number of victims identified and the services provided to them; continue to provide anti-trafficking training to government officials, targeting the judicial sector, labor inspectors, and diplomatic personnel; and continue to conduct anti-trafficking public awareness campaigns.

PROSECUTION

The government increased overall anti-trafficking law enforcement efforts. The 2011 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to seven years imprisonment and a fine of up to 250,000 Qatari riyal ($68,680) for offenses involving adult male victims and up to 15 years imprisonment and a fine of up to 300,000 Qatari riyal ($82,420) if the offense involved an adult female or child victim. Heads of recruiting agencies found guilty of trafficking faced up to five years imprisonment and a fine of up to 200,000 Qatari riyal ($54,950). These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Under Law number 4 of 2009, the government criminalized the confiscation of workers' passports by a sponsor, punishable by a maximum fine of 25,000 Qatari riyal ($6,870).

During the reporting period, the government reported investigating 149 potential trafficking cases, an increase from 93 in 2016; some of these cases likely involved other crimes often conflated with trafficking. The government reported prosecuting, but not yet convicting, one suspected trafficker under the 2011 anti-trafficking law, similar to the previous reporting period. The Public Prosecution Office (PPO), however, initiated prosecutions involving 109 cases of forced labor, up from zero the previous year, though none have yet resulted in convictions. During the previous reporting period, it achieved 28 trafficking-related convictions, including facilitating prostitution and unscrupulous employment practices. During the year, out of 4,230 cases of worker grievances, parties mutually resolved 2,720 in out-of-court settlements and officials referred 763 to the judiciary. Under various sections of the labor code, the PPO convicted up to 19 companies for labor law contraventions, including failure to comply with work hour limitations, grant a mandatory rest day, or pay overtime. Labor courts handed down 2,575 judgments, an improvement from the 2,039 judgments made in 2016. In 2017, the government continued

to strengthen its enforcement of the law prohibiting passport retention by investigating 361 cases and referring 53 to the PPO; it prosecuted 48 cases and administered fines to the perpetrators of passport retention during the previous reporting period. However, the government did not investigate such instances as potential trafficking offenses.

Qatari labor protections remained biased in favor of the employer. Government authorities did not routinely categorize forced labor or exploitative working conditions of domestic workers as human trafficking, but rather as criminal assaults, immigration or labor law violations. The government lacked a clear and efficient judicial process to criminalize human trafficking offenses, and its primary solution for resolving labor violations continued to be a transfer of employer sponsorship, mandated back payment of wages and fines, and blacklisting of companies with limited efforts to investigate whether the violations constituted forced labor.

The government did not report investigations, prosecutions, or convictions of government officials for complicity in human trafficking offenses. In October 2016, two domestic workers filed a civil suit against a former Qatari diplomat posted in the United States alleging the official withheld their wages, forced them to work excessive hours, and threatened deportation and blacklisting, among other accusations indicative of forced labor; the case resulted in a confidential settlement during the current reporting period. In early 2017, a Qatari official formerly posted to the United States as a diplomat agreed to a confidential settlement after a federal court in Virginia issued a default judgment in a civil suit in May 2014 in the amount of nearly $500,000 for claims the official subjected a domestic worker to forced labor. During the year, government entities financed and conducted specialized trainings on trafficking issues. The government continued its coordination with several international organizations and civil society stakeholders to improve training programs for federal employees, and the police training institute of the Ministry of Interior (MOI) conducted courses and workshops for an unknown number of officers and staff who investigate and work on trafficking cases. With government support, judges, inspectors, and police officers continued participation in a multi-year training program with an international organization on combating trafficking. Qatar University's Law Clinic conducted training related to human trafficking at the local Police Training Institute.

PROTECTION

The government maintained efforts to protect victims. The government did not report the number of trafficking victims it identified, referred for care, or assisted during the reporting period, although it did vastly strengthen institutional protections for laborers, including the highly vulnerable domestic worker population. During the reporting period, the government again dispersed approximately 90 million Qatari riyal ($24.7 million) to the Aman Protection and Social Rehabilitation Center shelter, which provided basic medical care, social services, psychological treatment, housing, rehabilitation, and reintegration for female workers who fled their sponsors as well as female and child victims of violence; shelter officials did not use established protocols to proactively screen vulnerable individuals for trafficking indicators. During the reporting period the National Committee to Combat Human Trafficking (NCCHT) also reported renting out six villas each capable of holding 20 people, specifically designated for victims of trafficking—both males and females. Some officials reportedly used a manual to proactively identify human trafficking victims, but law enforcement personnel and other government entities did not report proactively screening for any trafficking indicators among domestic workers, a vulnerable population typically isolated and mostly excluded from protections under labor laws. The government updated and continued to use its national victim referral system to coordinate victim identification and referral efforts between government authorities and NGOs. The referral system included the provision of shelter, health care, and legal assistance to trafficking victims. During the reporting period, victims were able to access the shelter even if their employers filed charges against them and maintained the right to leave the shelter without supervision.

In August 2017, the Emir signed into law the Domestic Workers Law, which was published in September 2017 and formally came into force in March 2018. The law required that domestic workers have government-verified contracts; receive adequate employer-provided food, accommodation, medical benefits, one day off per week, limited 10-hour workdays, sick leave, return flight tickets once each year, three weeks paid vacation per year, and full end-of-service payments; guaranteed access to the new dispute resolution committees to resolve workplace grievances; and allowances for domestic workers to leave their employers in cases of exploitation or violation of contract terms. However, at the close of the reporting period, enforcement and knowledge of the new law remained limited, thereby leaving significant vulnerabilities to forced labor among this population.

Systemic hurdles limited victim protection and impeded access to justice. In 2017, there were no reports of trafficking victims being detained, fined, or jailed for unlawful acts committed as a direct result of being subjected to trafficking; however, police did detain out of legal status workers for immigration violations and fleeing their employers or sponsors. The government generally encouraged victims to testify against their traffickers by providing free legal counseling and allowing them to pursue financial compensation; it did not report how many victims testified or received these benefits during the reporting period. The Qatari legal system lacked adequate privacy laws to protect victims against potential retribution and often did not provide adequate assistance or protection for victims during legal proceedings. Victims who lodged complaints were sometimes the subject of spurious counter-charges by their respective employers that resulted in administrative deportation proceedings. During the year, in an effort to address complaints directed against the prohibitive exit permit system, the government utilized its Grievance Committee—in accordance with Law No.21 of 2015—to evaluate and adjudicate refusals of employers to grant their employees exit permits. In 2017, the Grievance Committee reviewed 2,958 cases and, in all but two—due to preexisting criminal charges against the workers—it overturned employers' refusals to grant exit permits and gave employees permission to leave. The Grievance Committee began to alleviate some of the burden of the onerous exit permit system; however, authorities acknowledged more work was needed to ensure victims could expeditiously change employers or return to their respective countries of origin. The government assisted workers who wished to prematurely terminate their contracts and transfer employers in the event of employment malfeasance. The government reported the transference of 10,485 workers over the objections of their employers to new companies, far surpassing the 1,784 transferred in 2016. The MOI's Search and Follow Up and Human Rights departments coordinated with embassies to assist in the repatriation of migrant workers, including an unknown number of domestic workers. The MOI reported providing 15,646 complimentary repatriation tickets in 2017, more than doubled from 7,506 tickets granted in 2016.

The government reported it did not deport those who faced retaliation or retribution in their country of origin.

PREVENTION

The government sustained robust efforts to prevent trafficking in persons. The NCCHT, which included representatives of both government offices and NGOs, commenced regular meetings in 2017 and organized and hosted an international anti-trafficking conference in partnership with INTERPOL. The NCCHT began re-drafting its national strategy to combat trafficking, which spanned 2017-2022 and prioritized prevention, protection, judicial pursuits, and regional and international cooperation. The government did not report its financial allocation toward revision and implementation of the strategy; it allocated approximately 7.2 million Qatari riyal ($1.98 million) for such activity during the previous reporting year. The government-funded Aman Center continued to promote awareness campaigns on various forms of abuse, including trafficking, and outlined where to receive help; these campaigns targeted women, domestic workers, and exploitative employers. The Slavery Museum in Doha—part of a museum consortium chaired by the Emir's mother—enhanced trafficking knowledge among the local population. The government maintained its publication of manuals for expatriates in Arabic, English, and several source country languages on proactive victim identification, domestic worker rights, and ways to combat trafficking in Qatar. It continued to publish and disseminate "worker rights" pamphlets in English, Arabic, Hindi, Bengali, Nepali, and Tagalog that contained relevant articles from the labor and sponsorship laws. Officials began to include in every domestic worker's passport a sticker with a number for the complaint hotline and that of the Ministry of Administrative Development, Labor and Social Affairs (MADLSA); the government did not report how many calls either line received during the reporting year. The MADLSA and MOI held lectures and town halls, and supported media publications, to explain Qatar's labor system reforms and solicit feedback from labor sending country representatives; these activities targeted companies, government entities, foreign embassies, the press, and migrant worker communities. The government did not report efforts to reduce the demand for commercial sex acts. The government did not regularly provide anti-trafficking training for its international peacekeepers or diplomatic personnel.

In 2017, a total of 408 labor inspectors conducted more than 19,000 inspections of recruitment agencies resulting in roughly 3,605 warnings, 1,210 violation reports and various penalties, 78 company blacklistings, cancelation of nine licenses for recruitment agencies operating in Qatar, and the revocation of one license—compared to 24 license revocations in 2016—that MADLSA's routine inspection and monitoring found to be noncompliant with the labor law; however, it did not report if it referred any companies, or their owners or staff, for further prosecution or whether it achieved any convictions for those suspected of illegal recruitment activities. The government continued its rollout of the WPS, which requires employers to pay workers electronically and increases penalties for violating the labor code. Officials blacklisted more than 18,000 companies for violating the WPS and roughly 3,400 for labor law contraventions, exceeding the blacklisting of 5,500 companies and 2,000 individuals in the previous reporting period. The WPS detected and, as a result, officials blocked from future transactions, more than 27,000 companies for labor violations, a notable increase from just 600 during the previous reporting period; however, it remained unclear whether the system flagged any potential trafficking cases for criminal investigation. During the reporting period, the government signed landmark agreements with a foreign government and the ILO to strengthen anti-trafficking operating capacity and generate sustainable labor reform efforts throughout Qatar. Committing itself to the ILO official agreement, the government allocated workplace space and funding for a 17-person staffed office to solely oversee the implementation of the activities contained therein. The government continued to address recruitment issues and worker rights through 36 bilateral agreements and five memoranda of understanding with labor-sending countries, and it worked with individual countries to certify vetted labor recruitment offices to reduce fraud or excessive debts that may lead to forced labor conditions. The quasi-governmental Qatar Foundation and the Qatar 2022 Supreme Committee published workers mandatory standards documents, which injected workers' rights into corporate social responsibility to provide contractual incentives to contractors and subcontractors to follow the labor law or risk losing lucrative, multiyear projects.

In 2017, the government advanced implementation of the new e-contract system, espoused by Law No.21 of 2015, which applies to all expatriate workers in Qatar, including those in the domestic sector. During the reporting year, the MOI signed an agreement with a biometric data company to establish 22 service centers in eight primary sending countries constituting 80 percent of Qatar's total workforce. The government planned these centers to be responsible for signing contracts in local languages, issuing Qatari residence permits, conducting rights awareness training, taking fingerprints, and opening bank accounts for migrant workers, to reduce instances of contract switching and falsified employment agreements. This contract system included standardized language, including in local languages of major labor-sending countries, and online instructional guidance in Arabic and English. On August 16, the Emir signed into law a 2004 Labor Law amendment to establish new LDRCs, which replaced the laborious labor court system that were plagued by inefficiencies, including protracted court proceedings and the imposition of heavy financial burdens on laborers. The LDRCs formally began operation on March 19, 2018. The LDRCs streamlined cases and were mandated by law to reach a decision within three weeks for any contract or labor dispute.

TRAFFICKING PROFILE

As reported over the past five years, Qatar is a destination country for men and women subjected to forced labor and, to a much lesser extent, forced prostitution. Men and women from Nepal, India, Pakistan, Bangladesh, the Philippines, Indonesia, Sri Lanka, Sudan, Kenya, Nigeria, Uganda, and other countries voluntarily migrate to Qatar as unskilled laborers and domestic workers, often paying illegal and exorbitant fees to unscrupulous recruiters in the labor-sending countries, thereby increasing their vulnerability to debt bondage. Some workers subsequently face conditions indicative of involuntary servitude, to include restricted movement, payment withholding, passport confiscation, exit permit retention, and threats of deportation or abuse. Individuals in Qatar sell visas to migrants and occasionally demand regular payments, enabling migrant workers to work illegally and without legal recourse against their respective sponsors, although reportedly this trend is on the decline.

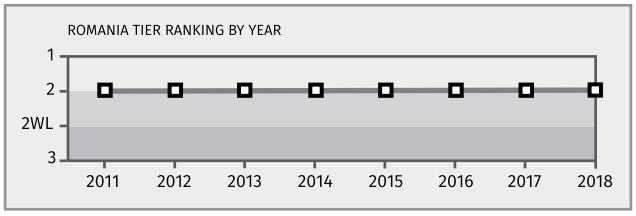
Qatar's unskilled migrant workers continue to comprise the largest group at risk of trafficking. Many migrant workers arriving in Qatar pay exorbitant fees to recruiters in their home

countries, and some predatory recruitment agencies in labor-sending countries lure foreign workers to Qatar with fraudulent employment contracts that bear no legal consideration in Qatar, rendering workers vulnerable to involuntary servitude once in the country. Among foreign workers, female domestic workers are particularly vulnerable to trafficking as, up until the current reporting period, they have not been protected under Qatari labor laws, and because officials lack authority to enter private residences. Some women who migrate for legitimate purposes may subsequently be subjected to forced prostitution.

Qatar's employment-based sponsorship system places significant power in the hands of employers, who have unilateral power to cancel residence permits, prevent workers from changing employers, and deny permission to leave the country. Debt-laden migrants who face abuse or are misled often avoid reporting their exploitation out of fear of reprisal or deportation, the protracted recourse process, or lack of knowledge of their legal rights, thereby exacerbating or prolonging their forced labor situation. Instances of delayed or unpaid salaries are a leading driver of forced labor in Qatar. Many migrant workers often live in confined, unsanitary conditions, and many complain of excessive working hours and hazardous working conditions; threats of deportation and physical or financial harm; and physical, mental, or sexual abuse. Reports allege the vast majority of expatriate workers' passports were in their employers' possession, despite laws against passport confiscation.

ROMANIA: TIER 2

The Government of Romania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Romania remained on Tier 2. The government demonstrated increasing efforts by significantly increasing prosecutorial use of the trafficking statute, increasing participation in joint investigative teams with several European counterparts, implementing new prevention campaigns, and developing a draft national action plan. However, the government did not meet the minimum standards in several key areas. Lack of sufficient government funding to NGOs for assistance and protection services remained a problem, leaving most victims unprotected, susceptible to re-traumatization, without services, and vulnerable to re-trafficking. Bureaucratic procedures continued to impede victims' access to medical care. Authorities investigated fewer trafficking crimes, courts convicted significantly fewer traffickers, and officials identified fewer victims. Judges continued to lack specialized training on working with trafficking cases and victims, which had detrimental effects on witness protection, restitution for victims, and sentencing for perpetrators.



RECOMMENDATIONS FOR ROMANIA

Significantly increase efforts to investigate, prosecute, and convict traffickers, including complicit officials, and issue sentences that are proportionate with the severity of the crime; proactively identify potential victims, especially among vulnerable populations, such as migrants and asylum-seekers, children in government placement centers, children involved in begging, and individuals in prostitution, through enhanced training for police officers and labor inspectors on recognizing indicators of exploitation; provide financial support to NGOs for victim services and develop and institute a formal mechanism for administering the funds; amend legislation to allow authorities to sanction recruiting agencies for trafficking-related crimes; increase the quality of psychological counseling and improve access to medical assistance for victims; exempt all trafficking victims who testify in trials from the online disclosure of their names to protect participating witnesses from retaliation and stigma and to incentivize greater victim participation in prosecutions; expand efforts to train officials involved in judicial proceedings, particularly judges, on sensitivity to trafficking issues, understanding all forms of trafficking, and applying anti-trafficking laws; significantly increase anti-trafficking training for law enforcement officials on working with victims, evidence collection, and understanding psychological coercion; increase the number of financial investigators specializing in trafficking cases; finalize, adopt, and implement the 2018-2022 national action plan; and revise the restitution mechanism to include minimizing court fees and increasing efforts to ensure victims receive compensation.

PROSECUTION

The government decreased overall law enforcement efforts. Articles 210, 211, and 367 of the penal code criminalized sex and labor trafficking and prescribed penalties of three to 10 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Authorities opened 675 new trafficking cases in 2017, a decrease from 864 and 858 in 2016 and 2015, respectively. A split reporting structure hindered police efficiency and coordination with investigations and prosecutions. Likewise, limited dedicated financial investigators impeded financial investigations and asset seizures, inhibiting evidence collection in trafficking cases and causing investigators and prosecutors to rely mainly on witness testimony. Prosecutors processed 481 alleged trafficking cases in 2017, compared to 552 in 2016; of these cases, 57 (12 percent) were prosecuted for pandering, rape, sexual activity with minors, and fraud, compared to 416 (75 percent) in 2016, indicating a significant increase in the use of the trafficking statute versus lesser crimes that carried weaker penalties. Prosecutors indicted 362 suspected traffickers in 2017, compared with 358 in 2016 and 480 in 2015. Courts convicted 222 traffickers in 2017, a decrease from 472 in 2016 and 331 in 2015. Fifty-five traffickers (25 percent) received suspended sentences, compared to 22 percent in 2016; the remaining traffickers received sentences of imprisonment, which ranged from one to more than 10 years. The government did not report how many fines were levied on convicted traffickers in 2017, compared with approximately 200,000 lei ($51,550) in 2016. Authorities participated in 43 joint investigative teams with several European counterparts, compared with 21 in 2016. Authorities extradited 44 traffickers to other European countries to serve sentences. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

The National Institute for Magistrates organized two conferences on strengthening legal knowledge and cooperation with prosecutors and judges to protect victims' rights during judicial

proceedings; 93 judges, prosecutors, lawyers, and psychologists participated. Prosecutors received training on investigating and prosecuting trafficking cases. The government provided training to government employees on the early identification of victims. The police organized a series of training programs for its staff that included an anti-trafficking component. Regardless of the numerous training events, NGOs reported many police officers and judges lacked specialized training and sensitivity toward sex trafficking cases and trafficking issues. Judges typically did not differentiate between prostitution and sex trafficking as distinct crimes, which had detrimental effects on sentencing for perpetrators and compensation for victims. Observers frequently criticized police for being unaware of the exploitation potential in prostitution, leading to a failure to check for indicators of force, fraud, or coercion when encountering individuals in prostitution.

PROTECTION

The government maintained efforts in victim protection. Public officials and NGOs identified 662 victims in 2017, the lowest number identified in over a decade and a decline from 757 identified victims in 2016 and 880 in 2015; these statistics included victims from ongoing investigations and prosecutions initiated in previous years. Of these victims, 51 percent were children, 76 percent were female, and 69 percent were subjected to sex trafficking. Police used the government's national victim identification and referral mechanism, although observers reported the government did not proactively identify victims. In 2017, 46 percent (307) of registered victims received assistance provided by public institutions and NGOs, compared with 41 percent in 2016. While the government relied on NGOs to assist victims, it did not provide sufficient financial support. The government did not allocate grants directly to NGOs due to legislation precluding direct funding for NGOs, and it declined to allow its national anti-trafficking agency to become an implementing agency for European funding programs, a status that would have allowed them to allot European funds to NGOs. Additionally, for the second consecutive year, the government failed to channel a Swiss-funded grant (approximately $2 million with the Romanian government co-financing 15 percent) to NGOs for victim assistance efforts. However, the government facilitated the transfer of the Swiss funds to IOM in order to disburse the funds to NGOs.

The government maintained five government-run shelters and one shelter jointly run by the government and an NGO that were designated for trafficking victims; these shelters also housed domestic violence victims in separate living areas. Officials referred victims to government-run domestic violence or homeless shelters or privately run shelters when the six trafficking shelters were full. Authorities placed child trafficking victims in general child facilities or in facilities for children with disabilities run by the governmental child protection service, which generally did not offer specialized assistance and frequently re-traumatized children. Perennial problems of abuse and neglect of institutionalized children and the lack of proactive identification in government facilities left children in placement centers and orphanages vulnerable to trafficking. Romanian victims abroad received free travel documents issued by Romanian embassies; the government, NGOs, or an international organization paid for transport costs. Local governments financed and operated transit centers that could assist repatriated victims. The law entitled all victims to legal aid, reintegration support, and psychological and medical care. However, the government did not necessarily provide for more than one mental health counseling session and did not finance medical care costs. NGOs paid for all psychological services costs for victims due to the government's refusal to reimburse psychologists who assisted victims, and for emergency medical care costs because the government lacked financial assistance and medical care required payment upfront. Moreover, access to medical care required Romanian victims to return to their home districts to obtain identity documents. The process presented logistical and financial hurdles for many trafficking victims; NGOs also covered those costs.

The law permitted foreign victims to request asylum and granted asylum-seekers the right to work after three months. In 2017, an NGO identified one foreign victim from Pakistan among refugees and asylum-seekers, but suspected dozens of other cases. The law also permitted foreign victims who cooperated with authorities to receive a renewable, six-month temporary residence permit. In 2017, 496 victims participating in criminal proceedings accessed services available to victims assisting law enforcement; these services included transporting victims to court and returning them home. Some victims chose not to testify because the justice ministry published the names of all trial witnesses, including children, on its public website, putting victim-witnesses at risk of retaliation and societal or familial ostracization. While the law allowed victims to provide testimony from a separate room, this was rarely done in practice due to judges' preference for live testimony in front of traffickers. The law entitled victims to restitution from their traffickers; however, victims generally could not afford the fees necessary to initiate civil trials or, in cases in which judges ordered restitution, to pay court officers to collect the money owed from traffickers. Additionally, NGOs reported victims rarely received restitution money because when ordered by courts to pay restitution, traffickers did not do so. Prosecutors typically dropped charges and fines against victims for crimes committed as a direct result of being subject to human trafficking.

PREVENTION

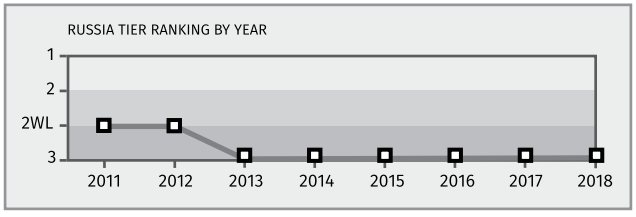
The government increased prevention efforts. The government developed a draft national action plan for 2018-2022; the last action plan expired in 2016. The national anti-trafficking agency made operational a three-year EU internal security fund grant of €160,000 ($192,080) for prevention campaigns focusing on sexual exploitation in 2018 and forced begging in 2019. In collaboration with an NGO, the agency developed and deployed an online prevention tool for a job and commerce website, warning potential job seekers of possible trafficking risks before they view job offers and providing contact information for the authorities in case of suspicious activity. The agency also organized a number of anti-trafficking awareness campaigns. The agency continued to publish yearly reports and statistics on trafficking. Despite a 2006 amendment to the criminal code that prohibited Romania-based recruitment companies from facilitating the exploitation of citizens abroad, the government did not have the power to punish recruitment agencies for trafficking-related crimes, such as illegal recruitment fees. Observers noted police were unresponsive to reports of labor trafficking and labor inspectors lacked the competency for detecting trafficking as well as the legal authority for unannounced worksite inspections. The government continued to operate a hotline during regular business hours that primarily focused on informing Romanians about working abroad safely. The government took steps to reduce demand for commercial sex acts and forced labor. The government provided anti-trafficking training for its troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Romania is a source, transit, and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Romania is a significant source of sex and labor trafficking victims throughout Europe. Romanian men, women, and children are subjected to labor trafficking in agriculture, construction, hotels, manufacturing, and domestic service, as well as forced begging and theft in Romania and other European countries. Romanian women and children are victims of sex trafficking in Romania and other European countries. Romani children, as young as 12 years old, are particularly vulnerable to forced begging and sex trafficking. Reports indicate some children were subjected to trafficking while in the care of the state, particularly in small towns. Romania is a destination country for a limited number of foreign trafficking victims, including trafficking victims from Pakistan and the Philippines. Romanians living in privately run institutions for the mentally disabled are vulnerable to forced labor.

RUSSIA: TIER 3

The Government of Russia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Russia remained on Tier 3. Despite the lack of significant efforts, there were reports some authorities took steps to address trafficking, including by identifying some victims, though the number of victims identified by the government remained negligible. However, authorities routinely detained and deported potential forced labor victims without screening for signs of exploitation, and prosecuted victims forced into prostitution for prostitution offenses. Throughout 2017, the government maintained bilateral contracts with the Democratic People's Republic of Korea (DPRK) under which the DPRK operated labor camps in Russia and subjected thousands of North Korean workers to forced labor, though near the end of the reporting period, Russia announced its intention to discontinue future contracts to comply with UN Security Council Resolution 2397. The government offered no funding or programs for trafficking victims' rehabilitation, while several privately run shelters remained closed due to lack of funding and the government's crackdown on civil society. Authorities did not report assisting any victims and lacked a process for the identification of victims and their referral to care. The government did not consistently provide comprehensive information on prosecution efforts, but the limited available data and media reports suggest prosecutions remained low compared with the scope of Russia's trafficking problem. As in previous years, the government did not draft a national strategy or assign roles and responsibilities to government agencies.



RECOMMENDATIONS FOR RUSSIA

Investigate allegations and prevent the use of forced labor in construction projects and North Korean-operated labor camps; screen for trafficking indicators before deporting or repatriating migrants, including from the DPRK; allocate funding to state bodies and anti-trafficking NGOs to provide specialized assistance and rehabilitative care to trafficking victims; develop formal national procedures to guide law enforcement, labor inspectors, and other government officials in identifying and referring victims to service providers, particularly among labor migrants and individuals involved in prostitution; increase efforts to investigate and prosecute trafficking offenses and convict traffickers including complicit officials, respecting due process; create a national anti-trafficking action plan and establish a central coordinator for government efforts; implement a formal policy to ensure identified trafficking victims are not punished, detained, or deported for acts committed as a direct result of being subjected to trafficking; provide victims access to legal alternatives to deportation to countries where they face hardship or retribution; create a central repository for publicly available information on investigation, prosecution, conviction, and sentencing data for trafficking cases; and increase efforts to raise public awareness of both sex and labor trafficking.

PROSECUTION

The government maintained minimal law enforcement efforts. It did not report comprehensive data on trafficking criminal cases, making it difficult to assess the adequacy or effectiveness of law enforcement efforts. Media reports and publicly available data revealed some details on trafficking cases investigated and prosecuted during the reporting period, although the limited number of cases reported did not constitute an adequate law enforcement response compared to the scale of trafficking in Russia. From the limited available information, authorities prosecuted trafficking suspects through Articles 127.1 and 127.2 of the criminal code, which criminalized "trade in people" and "use of slave labor." These articles prescribed punishments of up to five years of forced labor or up to six years of imprisonment for "trade in people" and up to five years imprisonment for "use of slave labor." These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. However, inconsistent with the definition of trafficking under international law, these articles established the use of force, fraud, or coercion as aggravating factors, rather than essential elements of the crime.

In 2017, Russia's federal-level investigative committee publicly reported 19 investigations, 16 under article 127.1 and three under 127.2, an increase from seven investigations reported in 2016. The government did not report the number of prosecutions initiated. The Supreme Court did not release conviction statistics before the close of the reporting period. Media reports about these investigations and prosecutions revealed several cases involving baby-selling, a crime that falls outside the international definition of trafficking. There were indications that some trafficking cases were reclassified as kidnapping or battery in order to secure a conviction; the government provided no public information on whether any of these cases involved force, fraud, or coercion.

Law enforcement training centers provided lectures and courses on trafficking for investigators and prosecutors. Due to insufficient funding, NGOs did not conduct trafficking training for officials. Russian authorities cooperated in some international investigations involving Russian nationals subjected to trafficking abroad. The DPRK government continued to send workers to Russia under bilateral contracts with Russia

and other foreign governments. Despite credible reports of slave-like conditions of North Koreans working in Russia, the Russian government did not report any investigations into those conditions. Corruption and official complicity remained significant concerns, inhibiting law enforcement action during the year. Despite media reports that alleged the use of forced labor in the construction of the new Russian embassy in Panama in 2017, the government did not report any investigations, prosecutions, or convictions of government employees or contractors complicit in human trafficking offenses.

PROTECTION

The government generally did not undertake efforts to protect victims and did not publicly report assisting victims. The government did not provide funding or programs for protective services dedicated to trafficking victims. Without specific legislation differentiating trafficking victims from victims of other crimes, government agencies claimed they had neither the means nor authority to provide assistance programs specifically for trafficking victims. Three dedicated trafficking shelters remained closed due to lack of funding; however, some victims continued to be accommodated in homeless shelters. A government-funded homeless shelter accepted Russian and foreign trafficking victims, provided medical and psychiatric aid, and referred victims to international NGOs and other homeless shelters located in many of Russia's regions. A homeless shelter run by the Russian Orthodox Church continued to accept victims and offered them food and housing, although not medical or psychological care; the government did not provide financial support for the shelter. The Russian Red Cross continued to operate a hotline, which primarily served labor migrants and did not identify any victims of trafficking among its callers. Similar to the previous reporting period, the government took steps to limit or ban the activities of other civil society groups, including some dedicated to anti-trafficking activities. Further, the government's efforts to exert pressure on NGOs through the implementation of restrictive laws also targeted those providing protective services for trafficking victims; the government criminally charged and investigated one NGO working on trafficking issues, although charges were eventually dropped. In 2016, two locally registered NGOs working on trafficking issues were designated as "foreign agents." The "Yarovaya" package of anti-terror laws made it a crime for individuals or organizations to provide material assistance to people considered to be in Russia illegally. There were limited examples of government cooperation with civil society. In January 2018, local authorities worked with NGOs to free victims from a factory, obtain travel documents and raise funds to help repatriate Uzbek victims. Authorities reportedly covered repatriation costs on a case-by-case basis.

The government identified 20 trafficking victims in 2017. According to law enforcement statistics, all identified victims were Russian; four victims were females subjected to sex trafficking, six were men subjected to forced labor, and 10 were children, although many of these were baby-selling cases. An NGO assisted approximately 125 victims in 2017. An international organization identified more than 2,400 trafficking cases in Russia from 2015 to 2017. Police regularly avoided registering victims in criminal cases that were unlikely to be solved in order not to risk lower conviction rates. The government did not develop or employ a formal system to guide officials in proactive identification of victims or their referral to available services. NGOs reported a significant number of cases go unreported due to the lack of a formal referral mechanism, victims' fears, and the lack of government assistance to victims. Despite the lack of formal procedures, observers reported some working-level officials referred potential victims for assistance on an ad hoc basis. However, observers also noted other authorities often did not distinguish between foreign victims and individuals unlawfully present in Russia, which resulted in the penalization of foreign victims rather than their referral to care. Frequently, authorities criminally charged victims with prostitution or unlawful presence in country. Authorities punished child victims of forced criminality along with their exploiters. Authorities routinely detained and deported possible foreign victims with no effort to screen them as victims or refer them to care providers. However, in limited instances, Moscow city police informally provided "permit letters" valid for one year to individuals the police determined were trafficking victims. While the letters offered no official status to the migrants, they allowed victims to remain in the Moscow region without risk of deportation or prosecution while police investigated their trafficking case. Authorities reportedly prosecuted Russian citizens returning from Syria and Iraq, where some were subjected to trafficking, under anti-terror laws without being screened for indicators of trafficking. A February 2016 agreement between Russia and DPRK enabled Russian authorities to deport North Koreans residing "illegally" in Russia, possibly even for those with refugee status; this may increase the risk of labor trafficking for North Koreans working under the state-to-state agreement. Moreover, DPRK authorities reportedly arrested, imprisoned, subjected to forced labor, tortured, and sometimes executed repatriated trafficking victims. In February 2018, government officials announced that in accordance with UN Security Council Resolutions 2375 and 2397, Russia would cease issuing new work permits to North Korean laborers, and repatriate those workers whose contracts had expired. Media reports indicated Russia had begun to repatriate the first wave of laborers whose permits had expired. Although government representatives publicly stated workers were asked to leave voluntarily, it was not clear that workers were being screened for trafficking indicators or offered options to legally remain in the country. Authorities did not screen other vulnerable populations, such as migrant workers or foreign women entering Russia on student visas despite evidence of their intention to work or other vulnerabilities to trafficking.

PREVENTION

The government maintained limited efforts to prevent trafficking. The government operated regional migration centers where migrants could obtain work permits directly from the government; however, the permits contained large upfront fees and sometimes required multiple time-consuming trips to the center to obtain. In 2017, Russia entered into bilateral agreements with Uzbekistan to regulate, control, and provide training to migrant laborers in each country. Authorities conducted scheduled and unannounced audits of firms employing foreign laborers to check for violations of immigration and labor laws—with penalties in the form of revoking foreign worker permits. While these raids took place with some regularity, the use of undocumented or forced labor remained widespread due to complacency and corruption. There were widespread reports of abuse of World Cup stadium construction workers, many of whom were migrants from Central Asia, ranging from non-payment of wages to the death of 17 laborers in 2017. Russia did not have a national action plan, nor was there a designated lead agency to coordinate anti-trafficking measures; legislation that would implement such a framework continued to languish at the highest levels within the presidential administration. The government did not have a body to monitor its anti-trafficking activities or

make periodic assessments measuring its performance. The government made no efforts to develop public awareness of forced labor or sex trafficking, although high-level officials, including the Ministers of Foreign Affairs and Internal Affairs, occasionally urged cooperation in countering human trafficking. In July 2017, Russia provided in-kind support for an OSCE conference focusing on the role of public-private partnerships in the fight against human trafficking; however, the event focused on the global scope of the problem rather than the challenges in Russia. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

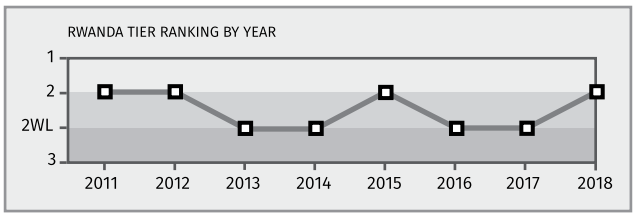
As reported over the past five years, Russia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Although labor trafficking remains the predominant human trafficking problem within Russia, sex trafficking is increasing. Workers from Russia and other countries in Europe, Central Asia, and Southeast Asia—including Vietnam and DPRK—are subjected to forced labor in Russia. Instances of labor trafficking have been reported in the construction, manufacturing, logging, agricultural, brick factories, textile, grocery store, maritime, and domestic service industries, as well as in forced begging, waste sorting, and street sweeping. Official and unofficial statistics estimate there are between 5 and 12 million foreign workers in Russia, of which the government estimates 1.5 million are irregular migrants. According to press reports, 2.3 million Ukrainians resided in Russia, including more than 1 million who went east to escape Russian aggression in Ukraine. International organizations estimate up to 40 percent of these migrants were working unofficially and vulnerable to both forced labor and sex trafficking. Foreign laborers work primarily in construction, housing, and utilities, and as public transport drivers, seasonal agricultural workers, tailors and garment workers in underground garment factories, and vendors at marketplaces and shops. Many of these migrant workers experience exploitative labor conditions characteristic of trafficking cases, such as withholding of identity documents, non-payment for services rendered, physical abuse, lack of safety measures, or extremely poor living conditions. Subcontracting practices in Russia's construction industry result in cases of non-payment or slow payment of wages, which leave workers at risk of labor trafficking. Corruption among some government officials and within some state agencies creates an environment enabling trafficking crimes. There are reports of Russian citizens facing forced labor abroad. There are also reports of increased vulnerability of minors from state and municipal orphanages being lured to forced begging, forced criminality, child pornography, and sexual exploitation, and use by armed groups in the Middle East.

Women and children from Europe (predominantly Ukraine and Moldova), Southeast Asia (primarily Vietnam), Africa (particularly Nigeria), and Central Asia are victims of sex trafficking in Russia. NGOs reported an increase in the number sex trafficking victims from Africa in 2017 and predicted the number of Africans subjected to trafficking in Russia could increase during soccer tournaments and as the Libyan route to Europe becomes more treacherous. Forced prostitution occurs in brothels, hotels, and saunas, among other locations. Homeless children are exploited in sex trafficking. Teenagers are targeted for "pick-up trainings," sexual education classes in which they are pressured into performing recorded sexual acts on course organizers; the compromising videos are subsequently used to coerce the victims into further sexual exploitation. Russian women and children are reportedly victims of sex trafficking in Russia and abroad, including in Northeast Asia, Europe, Central Asia, Africa, the United States, and the Middle East. Women from Russia's North Caucasus region as well as women from Central Asia residing in Russia were recruited to join ISIS through online romantic relationships and subjected to exploitation once they arrived. Wives and children of foreign fighters were sold after their spouse or father was killed in action.

In recent years, criminal cases have involved Russian officials suspected of allegedly facilitating trafficking in Russia by facilitating victims' entry into Russia, providing protection to traffickers, and returning victims to their exploiters. Employers sometimes bribe Russian officials to avoid enforcement of penalties for engaging illegal workers. The DPRK sends approximately 20,000 North Korean citizens to Russia annually for work in a variety of sectors, notably including logging in Russia's Far East and construction of the 2018 World Cup Stadiums—with 30,000 to 40,000 North Korean citizens believed to be present in Russia; reportedly many of these North Korean citizens are subjected to conditions of forced labor.

RWANDA: TIER 2

The Government of Rwanda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Rwanda was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more perpetrators of transnational trafficking crimes, opening more short-term care facilities, and continuing to implement anti-trafficking awareness campaigns and other prevention measures. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers for internal trafficking crimes, despite the presence of sex trafficking and forced labor within the country. The government did not systematically or proactively identify and refer trafficking victims among vulnerable populations or operate sufficient long-term care facilities for all trafficking victims. While there were no credible reports of Rwandan government involvement in either the recruitment into armed groups or sexual exploitation of refugees, during the reporting period, refugee whistleblowers from 2015 reported reprisal from the government for reporting trafficking concerns in camps. The government did not adequately screen for trafficking victims at government transit centers that serve vulnerable populations, and observers stated these centers continued to function as de facto detention facilities. The government implemented some improvements after an NGO documented physical and sexual abuse at these facilities in 2015, but observers stated the reforms were insufficient.



RECOMMENDATIONS FOR RWANDA

Systematically and proactively identify trafficking victims among vulnerable populations, and ensure potential and identified victims are not arrested, detained, or punished for

unlawful acts committed as a direct result of being subjected to human trafficking; cooperate and coordinate with NGOs and international organizations to provide all foreign and domestic trafficking victims with appropriate long-term protection services, including shelter and psycho-social care; develop and implement a victim-witness support program and expand training for prosecutors dealing with victim-witnesses; develop a formal mechanism to systematically refer trafficking victims to appropriate care; adopt and implement an updated national anti-trafficking action plan (NAP); continue to investigate, prosecute, and convict perpetrators of forced labor and sex trafficking, including internal trafficking; continue to implement protection measures for Rwanda's refugee population; increase training of law enforcement, judicial officials, labor inspectors, and social workers on the implementation of trafficking laws and victim identification procedures; and expand anti-trafficking awareness campaigns.

PROSECUTION

The government increased law enforcement efforts to combat cross-border trafficking crimes but continued to make inadequate efforts to address internal trafficking crimes. Rwanda's penal code did not criminalize all forms of sex and labor trafficking because it required movement to constitute a trafficking offense. Chapter 8 prescribed penalties of seven to 10 years imprisonment and a fine of 5 million to 10 million Rwandan francs ($5,850 to $11,700) for internal trafficking, and 10 to 15 years imprisonment and a fine of 10 million to 20 million Rwandan francs ($11,700 to $23,400) for transnational trafficking. Child trafficking convictions were subject to a minimum five-year prison term. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, parliament passed a revised penal code and, following partnership with a foreign donor to draft the provisions, a standalone anti-trafficking law, the Law on the Prevention, Suppression, and Punishment of Trafficking-in-Persons and Exploitation of Others. However, as the president had not yet signed the legislation into law, it remained pending enactment at the close of the reporting period.

The National Public Prosecution Authority (NPPA) reported increased efforts compared to the government's previously reported timeframe, initiating 65 trafficking investigations and prosecuting at least 25 alleged traffickers in 25 cases of suspected trafficking between October 2016 and September 2017—a timeframe that does not entirely correspond to the one previously used (July 2015-October 2016). Of the 25 prosecutions of alleged traffickers, five involved internal trafficking. The NPPA reported obtaining convictions for at least 12 traffickers in 12 cases during the specified timeframe, but it did not report the sentences or the laws under which these offenders were convicted. During the previous timeframe, the government reported investigating 44 cases, prosecuting 16 cases, and convicting seven traffickers. In 2017, the government did not adequately prosecute and did not convict any perpetrators of internal sex trafficking or forced labor, despite the presence of trafficking within the country. The government admitted difficulty prosecuting and convicting trafficking offenders due to a lack of investigative and prosecutorial anti-trafficking knowledge, extensive trafficking networks, and lack of victim testimony. Unlike previous years, the government held a complicit official accountable for trafficking offenses, sentencing a former Rwandan National Police (RNP) officer to five years imprisonment for participating in the trafficking of women to Oman. During the reporting period, there were no reports that government officials were complicit in trafficking from refugee camps; however, there were reports that refugee whistleblowers from 2015 experienced reprisal from the government for reporting protection concerns in camps. Following previous years' concerns with complicit officials at the refugee camps, an NGO, in partnership with the government, trained all Ministry of Refugee Affairs and Disaster Management (MIDIMAR) officials on anti-trafficking.

As in the previous reporting period, the RNP continued to operate a 15-officer anti-trafficking unit in its Criminal Investigations Division. The RNP directorate for anti-gender-based violence (GBV) had three officers in each of the country's 78 police stations who served as points of contact for domestic trafficking victims. The government continued to provide anti-trafficking training as a part of standard training and professional development for immigration officers, police, labor inspectors, judicial officials, and social workers. The RNP continued to convene quarterly meetings of provincial and district police, investigators, prosecutors, and immigration officials to provide ongoing training on Rwanda's regional anti-trafficking laws, trafficking recognition and investigation techniques, which reached an additional 39 investigators. The government did not report provision of training to law enforcement personnel on a victim-centered approach and victim-witness support mechanisms. The government also held joint exercises with Ugandan and Tanzanian officials for the purpose of bolstering cross-border security, including cooperation to combat trafficking.

PROTECTION

The government modestly increased protection efforts, but proactive victim identification efforts remained inadequate. Law enforcement and immigration officials identified approximately 56 transnational trafficking victims and four internal trafficking victims in 2017; officials referred all 60 victims for assistance at one-stop centers. The government also identified four potential victims who were intercepted en route to Uganda. This compared to 60 transnational victims identified and assisted in 2016. However, the government did not report efforts to identify or assist internal trafficking victims during the reporting period. Law enforcement and immigration officials and social workers in victim centers had victim identification guidelines; however, implementation appeared limited and officials still noted difficulty in screening specifically for trafficking victims among the broader population of victims of GBV assisted at the centers. The government did not adequately collaborate with civil society to identify and assist trafficking victims and did not provide protection services specifically catered to the needs of trafficking victims as distinct from victims of other crimes. The government did not adequately protect vulnerable populations from punishment for crimes committed as a result of being subjected to trafficking. Following 2015 NGO reports of abuse at government transit centers, including Gikondo in Kigali, the government adopted guidelines for improving conditions at the centers. However, the government reportedly continued to detain vulnerable persons, including persons in prostitution, destitute individuals, and street children, and advocacy groups continued to report that the transit centers operated without judicial oversight and functioned as de facto detention facilities in which individuals were not adequately screened for trafficking and were held for arbitrary periods of time.

The government expanded its network of Isange One-Stop Centers to assist GBV and trafficking victims from 29 to 44 centers. The government's one-stop centers, located in hospitals

and district capitals, provided short-term care and various psycho-social, medical, legal, and law enforcement services to victims. One-stop centers typically have "safe rooms" available that victims may use as temporary shelter for a few days. The government acknowledged that the extent and quality of services varied between locations, particularly regarding the provision of adequate psycho-social counseling, and that trafficking victims were not always screened and identified as distinct from GBV victims. NGOs highlighted gaps in communication between investigators in rural areas and police at one-stop centers, which may have impeded investigation and prosecution of crimes. The government provided long-term assistance to a limited number of victims on an ad hoc basis; in one case, the government provided a house to a female victim pregnant as a result of being trafficked and consequently rejected by her family. In 2017, the government assisted approximately 10 children, a decrease from the previous year, in a rehabilitation center for former child combatants associated with armed groups in the Democratic Republic of the Congo (DRC), which provided psycho-social support, education, and reintegration services. However, in general, the government lacked long-term care facilities for the vast majority of trafficking victims. The NPPA continued to operate two safe houses for witnesses in criminal cases, which could include trafficking victims; however, for the fourth consecutive year, the government did not report whether the safe houses were used specifically for trafficking victims. The government reportedly encouraged victims to testify against perpetrators, but officials noted that participation of victims in the investigation and prosecution of traffickers continued to be a challenge. An NGO reported that seven of the one-stop centers are equipped with video recording equipment to help encourage the cooperation of witnesses in prosecutions via recorded testimony. Rwandan law does not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution; however, in practice, the government made efforts not to deport foreign victims who faced retribution in their home country.

PREVENTION

The government maintained efforts to prevent trafficking. The government reestablished the interagency anti-trafficking working group. International organizations and NGOs reported that insufficient coordination among government agencies and resource constraints continued to hinder the government's anti-trafficking efforts. The government continued to implement its 2014-2017 NAP; an international organization worked with the interagency anti-trafficking working group to initiate development of an updated NAP. Throughout the reporting period, the government continued to conduct multiple national and local awareness raising anti-trafficking campaigns in schools and at community events, as well as on television and radio. These campaigns focused primarily on transnational trafficking and did not adequately address internal trafficking. RNP continued to operate a national GBV hotline, which was staffed by social workers trained to identify and refer trafficking cases, which reportedly identified an unspecified number of victims in 2017. The government had policies to regulate labor recruitment companies, which required their registration with the Rwandan Development Board, licensing from the Ministry of Labor, and submission of monthly reports to the government. The government reportedly prosecuted fraudulent companies in the past; however, there were no reports of prosecutions during the reporting period.

The government made efforts to reduce demand for forced labor and commercial sex through awareness raising campaigns. The government continued to train labor inspectors on identifying and handling child labor cases, including forced child labor. The government provided training to all Rwandan troops on gender sensitivity, human rights, and trafficking prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

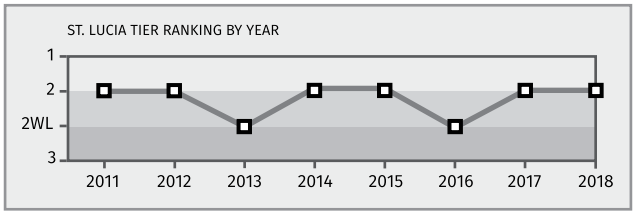
As reported over the past five years, Rwanda is a source, transit, and to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. Rwandan girls and some boys, some of whom are secondary school students between the ages of 13 to 18, are exploited in commercial sex in hotels, at times with the cooperation of hotel owners. Local human rights groups reported in 2017 that some Rwandan girls in domestic work who were terminated by their employers after becoming pregnant, and were therefore unable to return to their home villages, were subsequently exploited in prostitution. Some Rwandan men, women, and children are subjected to sex trafficking and forced labor in domestic work and agricultural and industrial sectors in destinations around the world; the primary destinations for Rwandan victims are Uganda, the DRC, and other parts of East Africa. Rwandan victims are also reportedly exploited in domestic servitude in the Middle East and sex trafficking in China. In 2016, some Rwandan girls were forced into marriages with men in Tanzania and may have experienced commercial sexual exploitation through these marriages. Reporting in 2013 indicated that Kampala- and Nairobi-based labor recruiters and brokers recruited Rwandan workers through fraudulent offers of employment abroad and subjected them to sex trafficking and forced labor in agriculture and domestic work, and the government indicated that foreign-based labor recruiters continued to pose a risk to vulnerable Rwandans during the reporting period.

Refugees fleeing conflict and political violence in Burundi and the DRC remain highly vulnerable to trafficking in Rwanda or are subjected to exploitation in third countries after transiting Rwanda. According to an international organization, there has been an increase in sex trafficking of Burundian male and female teenagers through Rwanda to third countries since 2015. In 2015, Burundian refugee girls transited through Rwanda and were exploited in sex trafficking in Uganda; some of these girls may also be subjected to domestic servitude in Uganda. Separately, female child refugees in a Congolese refugee camp in Rwanda were reportedly subjected to sex trafficking in nearby towns in 2015, allegedly facilitated by one civilian and three Rwandan Defense Forces soldiers assigned to the camp.

Between May and September 2015, Burundian refugees residing in Mahama refugee camp in Rwanda were recruited into non-state armed groups supporting the Burundian opposition; Rwandan security forces charged to protect the camp population reportedly facilitated or tolerated the recruitment activity. Whistleblower refugees in 2015 alleged that recruiters—including both Rwandan officials and other refugees—threatened, intimidated, harassed, and physically assaulted those who refused recruitment attempts. Most recruits were adult males, but in three verified cases in 2015, Burundian refugee children were also identified as recruits from Mahama refugee camp. Refugees reported that Rwandan military personnel trained Burundian recruits, including women and children, in weaponry at a training camp in southwestern Rwanda. There were no reports of forcible or coerced recruitment out of Mahama refugee camp by Rwandan government officials in 2017.

ST. LUCIA: TIER 2

The Government of St. Lucia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore St. Lucia remained on Tier 2. The government demonstrated increasing efforts by cooperating with Caribbean countries to exchange trafficking reports, conducting a series of public awareness campaigns, and training its personnel in measures to combat trafficking. The government sought international funding to build prevention and detection capacity. However, the government did not meet the minimum standards in several key areas. The government did not conduct any investigations, had yet to have a successful prosecution, had yet to convict a trafficker, and had not identified victims for the past two years. The government's anti-trafficking law included sentencing provisions that allow fines in lieu of imprisonment, which was not commensurate with penalties for other serious crimes. Since 2014, the government had not completed standardized written procedures to identify victims, and did not have sufficiently trained personnel to identify victims. The government did not provide adequate resources to implement its national action plan.



RECOMMENDATIONS FOR ST. LUCIA

Increase efforts to identify victims; investigate, prosecute, convict, and punish perpetrators of forced labor and sex trafficking; amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; provide sufficient resources to fully implement the 2015-2018 national action plan; develop a national action for the period beyond 2018; finalize and adopt standard operating procedures on a victim-centered approach to guide police, immigration, labor, child protection, judicial, and social welfare officials on victim identification and referral; continue to train government officials to implement procedures to proactively identify labor and sex trafficking victims among vulnerable populations, such as children exploited in sex trafficking and migrant workers in domestic service, and refer them to appropriate services; develop and implement labor recruitment policies to prevent trafficking; provide legal mechanisms for victims to work and receive formal residency status; and increase efforts to reduce the demand for commercial sex and forced labor.

PROSECUTION

The government maintained minimal law enforcement efforts. The 2010 Counter-Trafficking Act criminalized sex and labor trafficking and prescribed penalties of up to five years imprisonment or fines up to 100,000 Eastern Caribbean dollars ($37,040). This penalty was sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape. The government did not conduct any investigations during the reporting period; this compared to three in 2016 and one in 2015. The police reported monitoring suspicious establishments. The police lacked a dedicated budget for anti-trafficking efforts and sufficient personnel trained to identify trafficking.

The government did not initiate any prosecutions in the reporting period, compared to none in 2016, four in 2015, and none since 2011. In December 2017, the magistrate court dismissed the human trafficking charges against four defendants (three men from India and one from Bangladesh) in the labor trafficking case initiated in March 2015 involving 70 students from Nepal, India, and the Philippines for want of prosecution. The government had yet to convict a trafficker.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The police, judges, lawyers, and immigration officials participated in training conducted by Interpol-trained local trainers on investigation, victim identification, referral, and assistance; this included working on a plan for a raid at a potential trafficking hotspot. With technical assistance from an international organization, the government was developing a proposal for a database to manage and process trafficking cases. The government reported it cooperated regularly with other Caribbean countries to exchange trafficking information.

PROTECTION

The government decreased protection efforts. The government did not identify any trafficking victims in the reporting period, compared with zero in 2016 and 10 in 2015. The government did not have written procedures to guide officials on the proactive identification and referral of victims. The anti-trafficking task force was working to finalize standard operating procedures (SOPs) for victim identification and referral, but was unable to complete them due to a lack of technical expertise. At the end of the reporting period, the government sought out, collaborated with, and provided partial assistance to an international organization (along with financial assistance of a foreign government) to obtain the necessary technical expertise to finish the SOPs in 2018. The government did not spend funds on victim care or services because it did not identify any victims, compared with 1 million Eastern Caribbean dollars ($370,370) for care in 2016 for 20 victims and witnesses related to a 2015 labor trafficking prosecution. Although there was no dedicated shelter for trafficking victims, the government had six different facilities available to house victims. Through the Office of Gender Relations, trafficking victims could be referred to various organizations to provide legal, health, advocacy, and crisis services. Adult victims were able to leave at will, but were not allowed to work or receive formal residency status because the government considered victims wards of the state. The 2010 anti-trafficking act contained victim protection provisions, such as privacy and witness protection, to encourage victims to participate in the investigation and prosecution of traffickers.

PREVENTION

The government maintained efforts to prevent trafficking. The home affairs, justice, and national security ministry led an anti-trafficking task force, consisting of relevant agencies and NGOs, in implementing the national action plan for 2015-2018. The government, however, did not provide sufficient financial resources to the task force to fully implement the plan. The government planned to debate a new budget, which would include funds for anti-trafficking efforts in April 2018. The task force provided some resources and worked with an

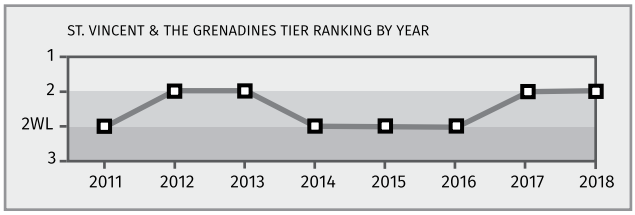
NGO to design brochures and the government printed and distributed them in post offices and airports. The gender office worked with youth-related organizations to conduct awareness campaigns in secondary schools; the government also worked with an international organization to hold focus groups in secondary schools to raise awareness. The government hired a media specialist to design and implement a 10-week prevention campaign. The government was in the planning stages to execute a more comprehensive prevention campaign with an international organization. There was no current policy in place to prevent trafficking in labor recruitment. The government-funded an NGO to run a crisis hotline for victims of violence, including trafficking victims, but it received zero trafficking calls during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel, although the Ministry of External Affairs was expected to do so in April 2018; the task force planned the curriculum for the anti-trafficking training. The government did not conduct research or monitoring during the reporting period. The government did not take measures to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, St. Lucia is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Local adolescents are the groups most vulnerable to trafficking. Documented and undocumented migrants from the Caribbean and South Asia, including domestic workers, are also vulnerable to trafficking. Local children are subjected to sex trafficking. Government officials, civil society, and educators reported St. Lucian children from economically disadvantaged families are vulnerable to unorganized commercial sexual exploitation often encouraged or forced by caretakers in exchange for goods or services. Foreign women who work in strip clubs and in prostitution are also vulnerable to sex trafficking. NGOs report disadvantaged young women from rural areas are vulnerable to sex trafficking. According to the government, business owners from St. Lucia, India, China, Cuba, and Russia are the most likely trafficking perpetrators in the country. Civil society has also reported women, or in some cases older teenagers, recruiting younger adolescents to provide transactional sex with adults at street parties.

ST. VINCENT AND THE GRENADINES: TIER 2

The Government of St. Vincent and the Grenadines does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore St. Vincent and the Grenadines remained on Tier 2. The government demonstrated increasing efforts by investigating more suspected cases, increasing training to relevant government officials and NGOs; increasing its cooperation with foreign governments to combat trafficking; and improving its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. The government's anti-trafficking law, which allowed for fines in lieu of imprisonment, was not commensurate with penalties for other serious crimes. Government agencies cited a lack of resources for anti-trafficking efforts.



RECOMMENDATIONS FOR ST. VINCENT AND THE GRENADINES

Amend the trafficking law to remove sentencing provisions allowing fines in lieu of imprisonment; increase government funding across all relevant agencies to combat trafficking; implement the 2016-2020 national action plan; increase investigations of suspected sex and labor trafficking cases; prosecute and convict traffickers; improve the quality and specialization of victim services; raise awareness about forced labor and sex trafficking and the need for public cooperation in law enforcement investigations; increase training for law enforcement on trafficking at all levels; and create new bilateral agreements with relevant source countries to better coordinate and combat trafficking.

PROSECUTION

The government increased law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 criminalized sex trafficking and forced labor and prescribed punishments of 15 years imprisonment, a fine of 250,000 Eastern Caribbean dollars ($92,590), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties were not commensurate with those for other serious crimes, such as rape. The government investigated seven suspected cases of trafficking; this compared with three cases each year in 2014, 2015, and 2016. Of the seven cases, none resulted in arrest or prosecution due to a lack of evidence. The government requested and received technical assistance from an NGO, with partial foreign government funding, to improve law enforcement's capacity to conduct victim-centered investigations. The government continued to cooperate with Trinidadian law enforcement to investigate a 2016 sex trafficking case involving a Vincentian national. With assistance from an EU grant, the police created a new survey tool that enabled new data collection on trafficking in the country; implementation was ongoing at the end of the reporting period. The police conducted several spot investigations at local bars and nightclubs throughout the country to surveil for trafficking. Authorities indicated the police need additional personnel and resources to more effectively investigate cases of trafficking.

There were no prosecutions during the reporting period (none in 2016), and the government has never convicted a trafficker. The government did not report any investigations of government employees complicit in trafficking offenses. The government provided funding for three investigators from the police department's Anti-Trafficking in Persons Unit (ATIPU) to participate in training in Guyana and Jamaica. The ATIPU conducted specialized anti-trafficking training for 69 new police recruits. The government signed a new bilateral agreement with Taiwan to increase training and coordination to combat trafficking.

PROTECTION

The government improved victim protection efforts. The government identified four potential labor trafficking victims

from Saint Vincent and the Grenadines in 2017, compared to three victims in 2016; no victims were identified by NGOs. Procedures existed to guide the ATIPU, immigration department, and labor department in identifying and referring potential victims of trafficking; some observers noted the referral process could be strengthened. With technical assistance from an NGO, the government provided in-kind resources for training on victim identification guidelines for 37 personnel from 15 organizations covering law enforcement, relevant government ministries, and NGOs. The government's domestic violence shelter could accommodate adult women and child trafficking victims. Three faith-based NGOs could house children subjected to trafficking. Some observers noted the quality of care for victims was insufficient. There were provisions in the trafficking act that offered protections to victims before, during, and after a trial, such as keeping the names of victims and their families confidential. There were provisions for witness protection programs and facilities for the victims to testify via video. The anti-trafficking law provided foreign victims with the possibility of temporary and permanent residence permits and protected victims from immediate deportation; benefits were not linked to cooperation in investigations or trials. Foreign victims who remained in country were allowed to work. Victims could obtain restitution via civil suits from traffickers; however, there were no reported cases of restitution during the reporting period.

PREVENTION

The government increased efforts to prevent trafficking. The national task force, led by the prime minister, coordinated the anti-trafficking efforts of various government agencies. The government revised its 2016-2018 national action plan to include more specific strategic inputs, outcomes, and lead agencies involved and extended the plan to 2020. In 2016, an EU-funded technical assistance program on capacity building and institutional strengthening to combat trafficking was completed. The government signed an MOU between nine government agencies that assigned tasks and responsibilities to combat trafficking. Government agencies cited a lack of financial resources towards anti-trafficking efforts.

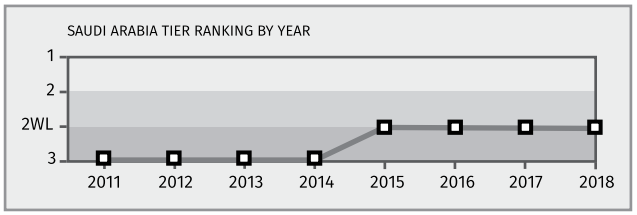
The government conducted a two-day training for law enforcement, government officials, civil society actors, and NGOs. The ATIPU conducted sensitization training to more than 400 nurses and teachers and 426 students in summer camps about trafficking, participated in two national radio appearances to sensitize the public on trafficking, and created a special exhibition in Kingstown to educate the public. The ATIPU also published information in print and online media highlighting recent trends in trafficking and ways to identify trafficking. The government reported regulating the licensing and recruitment of foreign workers. The government monitored its anti-trafficking efforts through quarterly and annual reports submitted to its national task force on trafficking and to the minister of national security. The annual report was submitted to the House of Assembly and made available to the public. There was a 24-hour hotline available to which citizens could report crimes, to include trafficking. The government made modest efforts to reduce the demand for commercial sex acts and forced labor.

TRAFFICKING PROFILE

As reported over the past five years, St. Vincent and the Grenadines is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Foreign women engaged in prostitution may have been subjected to sex trafficking in the country and foreign workers from South America and the Caribbean may have been subjected to trafficking for forced labor both in the country and while in transit. Foreign workers employed by small, foreign-owned companies may be vulnerable to labor trafficking. Men, women, and children are vulnerable to forced labor, primarily in agriculture; government officials and civil society suspect drug traffickers subject workers to forced labor in the production of marijuana. NGOs and government officials have reported Vincentians are subjected to both forced labor and sex trafficking in foreign countries. There are reports indicating child sex trafficking, facilitated by parents and caregivers, to be a problem in the country.

SAUDI ARABIA: TIER 2 WATCH LIST

The Government of Saudi Arabia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts by identifying and referring more victims to protective services, enhancing its regulatory enforcement of labor protections for expatriates, launching the second phase of the Wage Protection System (WPS) to better safeguard domestic workers' contracts, and expanding a pilot program to provide free phone cards and informational materials to all domestic workers and laborers arriving in Riyadh, Jeddah, and Dammam. The government-funded and commenced implementation of its four-year national action plan and continued to improve shelter services through a privatization program. It also prosecuted four Saudi nationals for passport retention. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It continued to arrest and/or deport undocumented migrant workers, some of whom were potentially unidentified trafficking victims. The government prosecuted and convicted fewer traffickers and did not explicitly report the penalties imposed or other sentencing details it administered. Because the government has devoted sufficient resources to a written plan, that, if implemented, would constitute significant efforts to meet the minimum standards, Saudi Arabia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Saudi Arabia remained on Tier 2 Watch List for the fourth consecutive year.



RECOMMENDATIONS FOR SAUDI ARABIA

Strengthen efforts to prosecute, convict, and stringently sentence trafficking offenders, including abusive employers, under the anti-trafficking law; reform the sponsorship system and ensure trafficking victims are able to pursue criminal cases against their employers in practice; vigorously investigate for potential trafficking crimes employers who withhold workers' passports and wages and restrict workers' movement, and adequately punish these employers under the anti-trafficking law; continue to improve efforts to ensure victims among

vulnerable populations, including domestic workers, illegal foreign migrants, male victims, and persons in prostitution, are not punished for acts committed as a direct result of being subjected to human trafficking to include proactive screening for trafficking indicators when arresting and before deporting individuals among vulnerable populations; continue to expand the formal victim identification mechanism to proactively identify trafficking victims among vulnerable populations; continue to train government officials on identifying cases of sex trafficking; and, expand country-wide public awareness campaigns on all forms of trafficking.

PROSECUTION

The government increased its law enforcement efforts but demonstrated an uneven ability to capture and share data on trafficking-related cases. The 2009 anti-trafficking law criminalized labor and sex trafficking and prescribed punishments of up to 15 years imprisonment and financial penalties of up to 1 million Saudi Arabian riyal (SAR) ($266,670), which were increased under aggravating circumstances, including trafficking committed by an organized criminal group or against a woman, child, or person with disabilities. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Council of Ministers' Decision 166 prohibited withholding workers' passports as a lesser criminal offense punishable by fines.

During the reporting period, the government reported investigating and prosecuting 177 trafficking cases, as compared to 264 in 2016. Of these, it convicted 20 traffickers under the anti-trafficking law and, due to insufficient information to prosecute as trafficking crimes, acquitted 31 defendants; 133 cases remained pending in the court system at the close of the reporting period. In 2016, the government achieved 254 prosecutions and convictions; however, this higher number was due to an amalgamation of trafficking and trafficking-related crimes, in addition to multiple laws under which they were criminally pursued. The 2017 convictions were for forced and bonded labor, involuntary domestic servitude, and forced begging. The government did not explicitly report the specific penalties imposed on the convicted traffickers or how many received prison sentences, although it reportedly handed down severe sentences to each convicted trafficker to include lengthy imprisonment, fines, and confiscation of gains from the trafficking crimes. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In December 2017, the Human Rights Commission (HRC) sponsored a train-the-trainer workshop provided by an international organization on general trafficking issues for 171 officials, including 42 judges and representatives of the Ministry of Labor and Social Development (MOLSD), border guard and police personnel, the interior ministry, recruitment companies, and foreign embassies. The HRC also developed and produced multiple anti-trafficking public awareness campaigns that also reached an unknown number of government officials.

PROTECTION

The government maintained efforts to protect trafficking victims and reported details on its protection efforts for the first time. The government widely disseminated victim identification and referral criteria to relevant official stakeholders and provided regular training on their implementation. During the reporting period, officials identified and referred to government-run shelters 121 trafficking victims—of which 20 were victims of forced labor—out of 164 individuals proactively identified as potential victims; during the previous year, it did not provide aggregate information on victims identified, but reported 264 potential victims discovered over the course of investigations. The government allocated—and reported for the first time—10 million SAR ($2.7 million) to the MOLSD, which operated shelters across the country for vulnerable populations and abuse victims, some of whom were likely trafficking victims. These include shelters for child beggars in Mecca, Jeddah, Dammam, Medina, Qassim, and Abha, in addition to welfare centers for female domestic workers in at least ten locations throughout the Kingdom and for male domestic workers in Riyadh. Each shelter provided accommodation, social services, health care, psychological counseling, education, and legal assistance, and all 121 government-identified victims received these services from the government during the reporting period; the government did not report what types of protection services, if any, it provided to identified victims during the previous reporting period. Diplomats from labor-sending countries had regular access to their nationals residing in government-run shelters and reported conditions and quality of services in the shelters varied slightly across the Kingdom, but were overall satisfactory and safe. Some embassies and consulates—including those of the Philippines, India, Indonesia, and Sri Lanka—also operated shelters for their respective nationals. Various diplomatic missions reported complaints by their citizens of unpaid wages, passport retention, physical or sexual abuse, or substandard working conditions. The Saudi Arabian government and foreign missions reported the large majority of foreign workers in Saudi Arabia did not experience problems with their employers. During the reporting period, officials extended a 90-day amnesty program, which commenced in March 2017, for five additional months for undocumented migrant workers, those who worked for an unofficial sponsor, and those who were declared absconders by employers, to depart the Kingdom without punishment by granting emergency exit certificates. The amnesty program also permitted undocumented expatriates to reverse their illegal status, fully exempt from any associated consequences. After the expiration of the amnesty period, the government detained approximately 250,000 people reportedly in violation of its residency laws and deported some 50,000, the majority of whom were of Ethiopian descent, according to press reports. There were no reports of confirmed trafficking victims being punished for unlawful acts committed as a direct result of their being subjected to trafficking; however, despite efforts to improve screening there were claims by human rights organizations that the government did not always screen all deportees for potential trafficking victimization and police frequently arrested and/or deported undocumented migrant workers, some of whom experienced abuses indicative of forced labor and were potentially unidentified trafficking victims.

The government extended all identified trafficking victims the option of remaining in the country—either in a shelter or via transfer to a new employer—during judicial proceedings or an immediate exit visa; these benefits did not require a successful prosecution or cooperation with law enforcement personnel. Victims who wanted to repatriate immediately could assign a power-of-attorney and pursue their legal case from abroad. During the reporting period, the anti-trafficking secretariat worked with interior ministry officials to extend the residency permits—without employers' consent—of an unknown number of identified trafficking victims on an ad hoc basis. The government reportedly encouraged victims to assist in the investigation and prosecution of trafficking offenders, and the law entitled trafficking victims to legal

assistance, security protection, translation services, and the right to immediate repatriation or continued residence in-country until resolution of the case, in addition to medical and psychological care, shelter, and recovery; it did not report how many victims accessed these provisions during the reporting year. The government reportedly provided protection to witnesses involved in trafficking cases, but the government did not report any cases in 2017. Officials permitted victims to obtain restitution from the government and file civil suits against trafficking offenders; however, such restitution generally occurred outside of civil court proceedings, and the government typically and informally reimbursed workers for back wages and/or assisted in their repatriation.

PREVENTION

The government increased its efforts to prevent trafficking. The Saudi Arabian government reiterated its commitment to combat human trafficking through initiatives undertaken as part of the Vision 2030 socioeconomic reform program. The government allocated a budget of 36 million SAR ($9.6 million) for its interagency anti-trafficking secretariat, which commenced implementation of its 2017-2020 national action plan to combat trafficking that focused on monitoring, prevention, building government capacity, inter-ministerial coordination, effective law enforcement, and provision of protective services for victims. The government-controlled media frequently aired discussions of forced labor, visa scams, forced begging, and other trafficking-related topics throughout the reporting period to raise awareness among the Saudi public. Officials operated a 24-hour call center that received calls in nine major labor-sending country languages including Urdu, Hindi, Bengali, Tagalog, Indonesian, Malay, and Amharic, in addition to Arabic and English. During the reporting period, the call center received approximately 1.3 million general inquiries and requests, labor disputes, employment complaints, and tips, which helped authorities identify four trafficking cases. MOLSD continued to receive workplace-related grievances via its website, a smartphone application, and social media. Expanding on a 2016 pilot program that provided pre-paid SIM cards to domestic workers and laborers arriving at Riyadh's international airport, the government launched this initiative in Jeddah and Dammam in 2018 to educate workers on their rights through complementary calls and text messages to the call center and local embassies.

In February 2018, the government implemented a new phase of the WPS, requiring employers to pay foreign workers by electronic transfer via a Saudi bank, thereby permitting the MOLSD to track disbursements. This requirement applied to all employees who worked for companies with 11 or more employees and covered the vast majority of expatriate workers in Saudi Arabia. In addition, it mandated individual employers of domestic labor to issue prepaid payroll or salary cards as soon as the domestic worker arrived in the Kingdom to ensure a legal working relationship between employer and employee and safeguard employees' prescribed wages. During the reporting period, the WPS covered a total of 6.4 million workers; more than 95 percent of Saudi companies were compliant with the system requirements, and the five percent in noncompliance were penalized, including an unknown number whose services the government suspended, either temporarily or permanently. The government made efforts to reduce the demand for commercial sex and forced labor. MOLSD conducted investigations of 17 cases of passport retention and imposed upon each defendant 1,000 SAR ($270) per passport withheld without consent; during the previous reporting period the government did not report investigating any such crimes that contained trafficking indicators. In addition, the prosecutor general investigated four Saudi business owners who retained their workers' passports without their employees' consent and referred all four to the judiciary; authorities fined each Saudi employer 2,000 SAR ($530) in accordance with the ministerial decree. The government did not report investigating or referring for criminal prosecution any passport retention crimes during the previous reporting period. MOLSD continued to employ nearly 1,000 labor inspectors, and during the reporting period, it ordered the closure of 14 recruitment offices and the suspension of operations of 40 others that contravened Saudi Arabia's labor laws. There were anecdotal accounts of employers prosecuted for these violations. Additionally, MOLSD imposed fines on 227 work places violating the government's mid-day work ban during the summer months. During the reporting period, the government concluded bilateral labor agreements with the governments of Uganda, Kenya, Ethiopia, and the Philippines, which aimed to protect workers' contracts with their employers. There were no reported cases of Saudis prosecuted or convicted for sex tourism outside the Kingdom. The government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

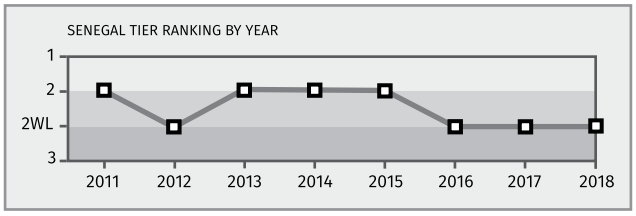
As reported over the past five years, Saudi Arabia is a destination country for men and women subjected to forced labor and, to a lesser extent, forced prostitution. Men and women—primarily from South and Southeast Asia and Africa—voluntarily migrate to Saudi Arabia to work in a variety of sectors, including construction and domestic service, and some are low-skilled laborers; many of these workers are vulnerable to forced labor. Some migrants are illegally recruited to work in Saudi Arabia and subsequently forced into domestic servitude and debt bondage. The Kingdom's migrant laborer population continued to be the largest group at risk of human trafficking, particularly female domestic workers due to their isolation inside private residences and subjection to severe employer abuse. According to a regional news source, there are approximately 11 million foreign workers in Saudi Arabia, and the largest populations during the reporting period hailed from India, Pakistan, Egypt, Indonesia, Syria, Yemen, Bangladesh, the Palestinian Territories, Sudan, the Philippines, and Sri Lanka. In previous years, some foreign citizens who have experienced indicators of trafficking were prosecuted for crimes and sentenced to death. Non-payment of wages is the prominent complaint from foreign workers in the Kingdom, while employers withholding workers' passports remains a significant problem. Trafficking perpetrators include businesses of all sizes, private families, recruitment companies in both Saudi Arabia and labor-sending countries, gangs, and organized criminal elements.

Due to Saudi Arabia's requirement under its de facto sponsorship—*kafala*—system that foreign workers obtain permission from their employers for an exit visa to be able to legally depart the country, some are forced to work well beyond their contract term because their employers do not grant such permission. Although most migrant workers sign contracts delineating their rights, some report work conditions substantially different from those previously prescribed, while others never see work contracts at all, rendering them vulnerable to forced labor and debt bondage. Additionally, some migrant workers voluntarily enter into illegal arrangements where they seek freelance work while concurrently paying a Saudi national to sponsor their initial residency permit, thereby becoming vulnerable to extortion by their sponsors. Some migrants from Yemen and the Horn of Africa who enter Saudi Arabia

illegally—involuntarily or through smuggling—via the Yemeni border may be trafficking victims. Previous reports allege some Saudi citizens engaged in sex tourism abroad, where they engaged in temporary or seasonal marriages, which included payment for short-term sexual access to children and others who the purchaser then abandons.

SENEGAL: TIER 2 WATCH LIST

The Government of Senegal does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting five traffickers, including one for forced begging; collecting data from more regions; training officials on the 2005 anti-trafficking law; restarting a lapsed campaign to remove children from the streets; and finalizing and committing to fund a 2018-2020 anti-trafficking national action plan. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Police rarely investigated suspected trafficking cases brought to their attention, especially forced begging cases, which effectively prevented such cases from moving forward in the law enforcement system. In some cases, officials obstructed justice by pressuring the judiciary to drop cases against allegedly exploitative Quranic school teachers *(marabouts)*. In addition, the only trafficker convicted for forced begging received a fine, which was inconsistent with the penalties prescribed in the 2005 law, and victim services remained inadequate. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Senegal was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Senegal remained on Tier 2 Watch List for the third consecutive year.



RECOMMENDATIONS FOR SENEGAL

Explicitly direct law enforcement and encourage judicial officials to significantly increase efforts to investigate and prosecute trafficking offenses brought to their attention and convict and punish traffickers, including those who exploit children in forced begging, with sufficiently stringent sentences; ensure prosecutors and investigative judges operate in full independence and pursue forced begging cases without interference or consequences; establish a legal framework to regulate *daaras* (Quranic schools) and allocate adequate inspectors to enforce implementation; implement the 2018-2020 anti-trafficking national action plan, including by allocating sufficient funding to the anti-trafficking task force; expand funding or in-kind support to government- and NGO-run shelters to increase care options for victims; train law enforcement, labor, and social welfare officials to adequately identify trafficking victims, including among child beggars, investigate cases, refer victims to services, and prevent their penalization; expand workplace regulations to include labor inspections in the informal sector; continue the *daara* mapping project; and broaden efforts to raise public awareness of trafficking.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. Senegal's 2005 Law to Combat Trafficking in Persons and Related Practices and to Protect Victims criminalized labor and sex trafficking. The law prescribed penalties of five to 10 years imprisonment and a fine for sex trafficking and labor trafficking—except forced begging—and prescribed lesser penalties of two to five years imprisonment and a fine for forced begging. These penalties were sufficiently stringent and, with regards to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

In data collected from five of Senegal's 14 regions, the government reported investigating 20 cases of alleged trafficking, prosecuting 10 alleged traffickers, and convicting five, compared to 16 investigations, eight prosecutions, and five convictions the previous reporting period, with data from three regions. At least four investigations involved sex trafficking and seven involved forced labor; the type of trafficking in the other investigations was unknown. Nine investigations and five prosecutions were ongoing at the end of the reporting period. Four traffickers—one adult sex trafficker and three child sex traffickers—received two years imprisonment. One trafficker received a fine for forced begging. Officials rarely used the 2005 anti-trafficking law to prosecute alleged traffickers, and all sentences imposed during the reporting period were below the minimum penalties prescribed in the law. Despite allegations of government complicity—either by refusing to investigate trafficking offenses or pressuring the judiciary to drop cases—the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Authorities from the then-Ministry of Women, Families, and Childhood and the government-run Ginddi Center for trafficking victims noted in mid-2017 that they routinely reported individuals suspected of involvement in forced child begging to the *gendarmerie* criminal research brigade. To date, however, there has not been a single investigation or prosecution in response to the referrals. Most trafficking prosecutions and convictions have focused on sex trafficking; the government has only convicted three individuals for forced begging under the 2005 law in the last five years, which is inadequate compared to the scale of the problem. In addition, judiciary and social services officials reported that some government officials, including within the Ministry of Interior (MOI), have used their positions and influence to prevent law enforcement and the judiciary from pursuing cases against individuals who force children to beg.

As in past years, the anti-trafficking task force (CNLTP) co-financed five trainings led by international organizations on identifying, investigating, and prosecuting human trafficking. These trainings reached more than 200 judges, prosecutors, and police officers, as compared to reaching 124 officials the previous year. In addition, the Ministry of Justice conducted several training sessions for law enforcement and judiciary officials on the 2005 law, investigation practices, and the national trafficking database. However, many law enforcement and judicial personnel remained unaware of the provisions of the 2005 law, which, coupled with limited institutional capacity, inhibited efforts to prosecute and convict traffickers under the law and collect data on such efforts. Although the government began to roll out a national trafficking database

in key regions of the country and trained law enforcement on its usage, the government did not fully implement it during the reporting period.

PROTECTION

The government maintained efforts to identify and provide services to trafficking victims. Law enforcement, immigration, and social services personnel had formal written procedures to proactively identify trafficking victims among high-risk populations; however, they made limited efforts to implement those procedures, especially among gold-mining communities and children in begging. The government, at times in collaboration with NGOs, identified and referred to services approximately 1,381 trafficking victims during the reporting period—including three Nigerian sex trafficking victims and a significant number of child forced begging victims. This was compared to identifying and providing services to 1,547 potential child trafficking victims the previous reporting period, when the government led a campaign to identify children in forced begging. One NGO repatriated and reunited 249 of the trafficking victims with their families, with the government providing travel documents for foreign victims and transportation for internal returns. A second NGO identified and cared for an additional 565 trafficking victims without government support.

The government created a new ministry with a special emphasis on child protection—the Ministry of Good Governance and Child Protection (MGGCP). The MGGCP took the lead for child trafficking victim protection. The Ginddi Center, under the aegis of the MGGCP, provided temporary shelter and basic care to both foreign and domestic victims. The Ginddi Center cared for approximately 1,278 victims during the reporting period, and authorities referred at least 20 other trafficking victims to NGOs for care. Nearly all victims identified were child forced begging victims from Senegal, Guinea, Guinea-Bissau, The Gambia, and Mali. In a positive step, authorities stopped their previous practice of returning child forced begging victims to exploitative *marabouts*. However, Ginddi Center officials reported that even when victims were returned to their families, recidivism occurred. The government provided 90.6 million West African CFA francs (FCFA) ($161,120) to the center in 2017, an increase from 85.7 million FCFA ($152,400) allocated to the center in the previous year. The center provided basic meals and shelter for victims. The center could also provide clothing, basic psychological services, and legal counseling, but only when such resources were available; it was unknown how many victims received these services during the reporting period. The center lacked sufficient staff, resources, and specialized training for social workers and volunteers, and it only had one volunteer doctor to provide basic medical treatment. The center lacked space to accommodate all victims identified, which limited the number of victims authorities could remove from exploitation and how long victims could remain at the center. In order to address the lack of space at the Ginddi Center, in March 2018 the MGGCP began sending some trafficking victims identified during the second phase of the anti-forced begging campaign to the center for immediate services, and then on to partner *daaras*—which the government had certified met capacity, hygiene, and security standards and did not engage in forced begging—that provided children with follow-on support until family reunification. Seventy-five trafficking victims identified in late March 2018 were sent to one such *daara*. The Ministry of Justice operated three shelters (CPAs) for child victims of crime, witnesses, and children in emergency situations, which trafficking victims could access. It was unclear how much funding the CPAs received in 2017, but the government allocated 20 million FCFA ($35,570) to the centers in early 2018. Several NGOs operated trafficking victim shelters throughout the country. Outside of Dakar, international observers reported NGOs sometimes had to provide critical shelter and trafficking victim services due to a lack of government involvement.

Authorities inconsistently applied the victim referral system, and it was not available in all regions of the country. Authorities referred victims identified along Senegal's borders to an international organization and government center for questioning before referring them to NGOs or government centers for protective services. In Dakar and rural areas, law enforcement, civil society, and community protection groups generally referred children to the government or NGOs for social services and repatriation; however, members were not always aware of the shelters and services available, especially for adults, which at times caused delays in the provision of services. The law provided alternatives to the removal of foreign victims who may face hardship or retribution upon return, including the option to apply for temporary or permanent residency; the government did not report offering this relief to any victims during the reporting period. Victims could legally obtain restitution and file civil suits against their traffickers, although the government did not report that any did so during the reporting period.

PREVENTION

The government increased efforts to prevent human trafficking. The CNLTP continued to implement the 2015-2017 anti-trafficking national action plan. The government allocated 80 million FCFA ($142,270) to the CNLTP in 2017, a significant increase from 50 million FCFA ($88,920) allocated in 2016. With wide input from a variety of civil society and religious leaders, the government developed and adopted a 2018-2020 anti-trafficking national action plan, and it committed to funding the CNLTP for implementation of the plan. While funding for the CNLTP increased, it remained insufficient, and the CNLTP had to seek additional donor funds to support many of its activities. In collaboration with NGOs, the CNLTP continued awareness-raising programs on child forced begging and sex trafficking. The Ginddi Center continued to run a hotline for child trafficking in three languages. The hotline received 3,409 calls during the reporting period, leading to the identification of 1,077 vulnerable children, many of whom were trafficking victims. Staff responded to each call, despite the fact that the Ginddi Center did not have a vehicle, forcing it to rent one each time it followed up on a trafficking report. Due to limited funding, the hotline only operated from 7:30am-10:00pm.

In 2016, the government allocated 100 million FCFA ($177,830) to the then-Ministry of Women, Families, and Childhood to implement the president's June 2016 campaign to remove children from the streets of Dakar, including child trafficking victims. The ministry used some of that funding to assist families vulnerable to trafficking and *daaras* who committed to ending the practice of forcing children to beg. The MGGCP continued to provide in-kind support during the reporting period to vulnerable families and *daaras* that did not engage in forced begging. The government ceased all other activities under the 2016 campaign for the majority of the reporting period because the funding ran out. At the close of the reporting period, the MGGCP began the second phase of the campaign with increased roles for the Ministries of Interior, Justice, and Health, as well as local officials. The second phase began to address earlier

complaints about a lack of government coordination during the first phase of the campaign. While the lack of interagency coordination on trafficking among government structures remained a problem, reports indicated the MGGCP's efforts began to improve coordination during the reporting period. For example, MOI officials and MGGCP social workers conducted joint operations to identify and remove child trafficking victims from situations of exploitation.

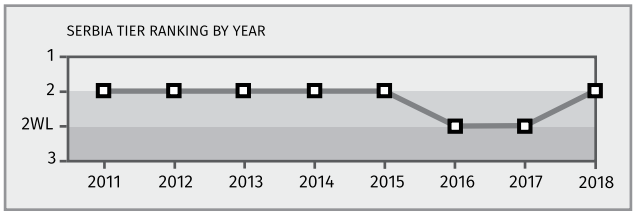
Four local governments partnered with an international donor to provide funding and in-kind support to local communities in order to close *daaras* that practiced forced begging, repatriate child forced beggars to their homes, and decrease the incidence of forced begging; the local governments reported a drastic decrease in the incidence of forced begging in their communities as a result of this effort. To better understand the scope of child forced begging around the country, the MGGCP, with the support of a foreign NGO, continued the *daara* mapping project. Government and religious leaders finalized the draft decree to operationalize the draft bill to modernize *daaras*; if passed, the bill would outline requirements that *daaras* must meet in order to be eligible for government subsidies. The bill and operational decree remained in draft form at the end of the reporting period. According to the law's drafters, *daaras* that used forced begging would not be eligible to receive subsidies; participation in the program would be voluntary, however, so it was unclear if the draft bill, once passed, would adequately address child forced begging. Approximately 60 percent of Senegal's economy operated in the informal sector, where most forced child labor occurred, yet the government did not improve regulation of this sector or provide adequate protections for workers. The government made efforts to reduce the demand for forced labor and commercial sex acts. The task force's tourism police forces continued to monitor the resort areas of Saly and Cap Skirring for indicators of child sex tourism and other abuses, although they did not report identifying any cases of child sex trafficking. The government, in cooperation with international partners, provided anti-trafficking training to Senegalese troops before their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Senegal is a source, transit, and destination country for women and children subjected to forced labor and sex trafficking. Forced begging is the most prevalent form of trafficking; some *marabouts* and men who claim to be *marabouts* force children to beg in Dakar and other major cities in Senegal. A 2014 government study reported *marabouts* or men pretending to be *marabouts* force approximately 30,000 children to beg in Dakar alone. In addition, a 2017 NGO-led study identified more than 14,800 child forced begging victims in Saint-Louis and reported that 187 of the city's 197 *daaras* send children to beg for at least part of the day. Traffickers subject Senegalese boys and girls to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking, although boys from The Gambia, Guinea, Guinea-Bissau, and Mali are victims of forced begging in Senegalese cities as well as forced labor in artisanal gold mines in Senegal. Traffickers exploit Senegalese women and girls in domestic servitude in neighboring countries, Europe, and the Middle East, including Egypt. Reports indicate traffickers exploit most Senegalese sex trafficking victims within Senegal, particularly in the southeastern gold-mining region of Kedougou. Traffickers also subject Nigerians, Guineans, Malians, and Burkinabes to forced labor and sex trafficking in mining communities. West African women and girls are subjected to domestic servitude and sex trafficking in Senegal, including for child sex tourism for tourists from France, Belgium, Germany, and other countries. During the reporting period, an international organization identified more than 1,100 Senegalese migrants in Libya who were vulnerable to trafficking. The majority of migrants reported traveling through Mali, Burkina Faso, and Niger to reach Libya, with the intent to reach Europe.

SERBIA: TIER 2

The Government of Serbia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Serbia was upgraded to Tier 2. The government demonstrated increasing efforts by consolidating the jurisdiction for trafficking crimes under one authority to improve investigations, and by creating a stand-alone Office of the National Coordinator that effectively elevated the national trafficking coordinator to a full-time position. The government adopted an anti-trafficking strategy and action plan, allocated 8 million dinars ($79,950) to its implementation, and mandated the reconstituted national anti-trafficking council to meet at least twice a year to coordinate anti-trafficking efforts. However, the government did not meet the minimum standards in several key areas. The government continued to lack formal victim identification procedures and the national referral mechanism lacked established roles and responsibilities for referring victims to support services. The urgent reception center, designed to provide safe shelter and services, was not functional for the fifth consecutive year. Judges did not consistently assign the status of "especially vulnerable witness" to trafficking victims and the government did not uniformly apply non-penalization principles for trafficking victims. The number of trafficking convictions fell for the fifth consecutive year.



RECOMMENDATIONS FOR SERBIA

Vigorously investigate, prosecute, and convict traffickers and sentence them to stringent penalties; formalize victim identification procedures and ensure their implementation; update the national referral mechanism, including formalizing cooperation with NGOs to provide all victims necessary support services and adopting specific procedures for children; provide victims testifying in court protection to diminish intimidation and re-traumatization; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases; fully implement written guidance to prevent penalization of trafficking victims for acts committed as a direct result of being subjected to human trafficking and amend the law to mandate non-penalization of victims; increase efforts to identify victims, including among migrants, refugees and asylum-seekers, and unaccompanied children engaged in street begging; allocate sufficient resources to enable the Center for the Protection of Trafficking Victims to implement victim protection efforts and allocate resources for the completion of

the urgent reception center; improve training for government personnel on victim assistance and referral; and provide labor inspectors and market inspectors the resources and training necessary to regulate recruitment agencies and investigate cases of fraudulent recruitment.

PROSECUTION

The government maintained law enforcement efforts. Article 388 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from two to 12 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 13 suspects (14 in 2016). The government initiated prosecutions against 24 defendants (23 in 2016). The government continued ongoing prosecutions for 14 defendants from previous years. Courts convicted 13 traffickers (22 in 2016 and 20 in 2015). Traffickers received sentences between one year and eight years imprisonment.

The government consolidated the jurisdiction to investigate trafficking under the Criminal Police Directorate (CPD); in previous years, the border police and Foreigners Office split this responsibility, which hindered investigations because of unclear jurisdiction and the implication that a trafficking crime needed a transnational element. Observers reported the need to increase the capabilities and capacity of the CPD to investigate trafficking. Each police directorate had both a standalone anti-trafficking unit and officers within the organized crime police and border police that specialized in investigating trafficking. The government also continued to operate a standing migrant smuggling and trafficking task force that coordinated efforts to proactively investigate trafficking. The Public Prosecutor's Office (PPO) designated specialized prosecutors for trafficking cases, who also acted as single points of contact for investigators and care providers and provided operational guidance. Experts reported strengthened cooperation with the PPO but noted prosecutors faced difficulties in distinguishing the differences between labor rights violations and forced labor. The government trained police, immigration officials, border police, and labor inspectors on anti-trafficking issues, including 60 police officers on the structural change for investigative jurisdiction. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained efforts in victim protection. The government identified 40 trafficking victims (49 in 2016). Of these, 21 were victims of sex trafficking, four of forced labor, four of forced begging, one of forced criminality, and 10 of multiple types of exploitation. Eighteen victims were children (21 in 2016). First responders referred 142 potential victims (150 in 2016) to the government's Center for Protection of Trafficking Victims (CPTV); the government referred 44, social welfare organizations referred 57, and 41 were referred by civil society or other means. Seventeen police directorates also had multi-disciplinary anti-trafficking teams that included prosecutors, social workers, and health officials intended to identify and refer victims in their localities; however, observers reported most teams did not meet and had minimal activities in 2017.

The government continued to lack formal victim identification procedures. The Ministry of Labor, Employment, Veteran and Social Affairs implemented the use of trafficking indicators produced by CPTV but the use of these indicators was ad hoc in other government entities, such as law enforcement and schools. Observers reported law enforcement in charge of investigating prostitution-related offenses, particularly outside of Belgrade, continued to operate with limited or no training on victim identification. CPTV trained first responders on proactive identification of victims, including within migrant and refugee populations. The government used an outdated national referral mechanism that lacked established roles and responsibilities for referring victims to support services. CPTV assessed and officially recognized victims referred by first responders and developed a protection and assistance plan for each victim. GRETA reported CPTV lacked the staff to review cases in a timely manner and resources to travel to the location of potential victims and interview them in person. Experts also reported concern about the lack of control and transparency over the official victim assessment.

The government did not provide information on funds allocated for victim protection in 2016 or 2017. The government did not provide funding to NGOs despite relying on their victim support and reintegration services. The government and NGOs provided psycho-social, legal, educational, medical, financial, and reintegration support; however, the government had limited procedures outlining cooperation with NGOs on victim services. CPTV had two units, the protection agency and the urgent reception center, but for the fifth consecutive year the urgent reception center, designed to provide safe shelter and services, was not functional. An NGO-run shelter remained the only specialized shelter for female trafficking victims; local centers for social work (LCSW) operated shelters for domestic violence victims that also accommodated female trafficking victims. GRETA visited a LCSW-run shelter in Sremska Mitrovica and reported "good living conditions" but these shelters generally lacked the specialized programs and trained staff necessary for working with trafficking victims. Experts reported CPTV referred fewer victims to NGOs for support and assistance in 2017. The government reported authorities returned child victims to their families, referred them to foster care, or placed them in one of the two Centers for Children without Parental Care; however, observers reported CPTV lacked specific procedures for child trafficking victims. For example, the questionnaire used in the identification process was not adapted to children and children often did not understand the questions. Observers reported there were no child-friendly premises for interviews and the majority of social workers did not receive specific training on working with children. The government did not provide specialized support for male victims; an NGO rented accommodation for male victims as needed and male victims could access all other rehabilitation services offered to female victims. CPTV signed a protocol with the National Employment Service (NES) to assist victims in finding employment; NES assisted 36 victims in 2017.

Victims' ability to access support services and assistance was not contingent on cooperating with law enforcement investigations; however, once a case was reported to police, authorities required victims to cooperate with investigations and testify during prosecution, including children. Observers reported Serbian authorities threatened some victims with prosecution for non-cooperation. Authorities did not adequately protect victims' rights during lengthy court proceedings and victims frequently had to appear in front of their traffickers. Observers reported CPTV consistently appointed lawyers to represent victims but the length of trials and assistance provided to victims depended on the individual prosecutor or judge. Judges did not consistently assign the status of "especially vulnerable witness" to trafficking

victims; this status allowed witnesses to testify without the defendant present and allowed testimony via video link. The government inappropriately prosecuted trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, particularly forced criminality; however, NGOs reported CPTV successfully intervened to suspend known prosecutions of trafficking victims. The law entitled victims to file criminal and civil suits against their traffickers for restitution, but judges continued to encourage victims to seek restitution solely by filing civil suits. One victim received 2.2 million dinars ($21,710) in compensation from a civil suit in 2017; however, civil suits were lengthy, expensive, and required the victim to face the abuser numerous times. Only two victims received compensation to date. The government provided foreign victims temporary residence permits renewable up to one year; two victims received residence permits in 2017. Observers reported the government provided inadequate repatriation support for Serbian forced labor victims in Slovakia.

PREVENTION

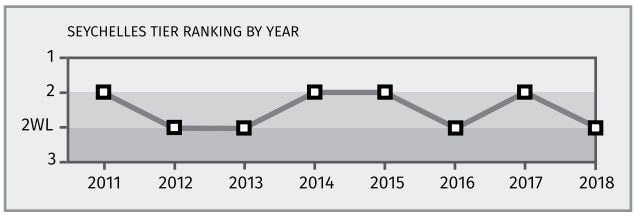
The government increased prevention efforts. The government adopted the anti-trafficking strategy and action plan for 2017-2022. The government allocated 8 million dinars ($79,950) to implement the action plan for the first two years. The government created a stand-alone Office of the National Coordinator, elevating the national coordinator to a full-time position, and allocated five employees and office space. The government replaced the anti-trafficking council with the Council to Combat Trafficking (CCT) and mandated it to meet twice year; the council met in December 2017. CCT founded an interagency working group to strengthen cooperation and a separate multi-disciplinary group to monitor the implementation of the national strategy. The government organized educational and outreach activities, but efforts were on an ad hoc basis. The government operated a hotline to collect human trafficking-related tips, published anti-trafficking efforts on its website, provided information on trafficking via social media and incorporated trafficking issues into grade school curriculums. Police continued to enforce laws against purchasing commercial sex. The government did not make efforts to reduce demand for forced labor. The government licensed and regulated private employment agencies; however, observers reported in practice, tourist agencies also performed labor recruitment and were largely unregulated. GRETA reported the Market Inspectorate may take up to two months to react to reports of fraudulent employment offers. Serbian troops participated in anti-trafficking training prior to their deployment on international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Serbia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude and forced begging. Serbian women are subjected to sex trafficking both in Serbia and in neighboring countries and throughout Europe, particularly Austria, Germany, Turkey, and Italy. Serbian nationals, primarily men, are subjected to forced labor in labor-intensive sectors, such as the construction industry, in European countries (including Azerbaijan, Slovenia, and Russia) and the United Arab Emirates. Serbian children, particularly Roma, are subjected within the country to sex trafficking, forced labor, forced begging, and petty crime. Thousands of migrants and refugees from Afghanistan, Iraq, Syria, and neighboring countries transiting through or stranded in Serbia are vulnerable to trafficking within Serbia. Alleged traffickers reportedly influenced some trafficking cases through bribery of the victim or judge.

SEYCHELLES: TIER 2 WATCH LIST

The Government of Seychelles does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by continuing to prosecute a suspected trafficker, providing assistance to four trafficking victims from a 2016 case, and collaborating with an international organization to develop implementing regulations for the Prohibition of Trafficking in Persons Act of 2014. However, the government did not demonstrate increasing efforts compared to the previous reporting period. The government did not report allocating funds for victim services, did not have any comprehensive shelters or care facilities available for trafficking victims, and did not implement its standard operating procedures or victim assistance mechanism, resulting in the government not identifying any trafficking victims during the year. The government also did not initiate any new investigations or prosecutions, or convict any traffickers, and did not provide adequate anti-trafficking training for its personnel. The government did not inspect employers of, or screen for indicators of trafficking among, potential labor trafficking victims within the Seychelles International Trade Zone (SITZ) despite vulnerability to trafficking among migrant labor in the country. The government did not have an active anti-trafficking committee that drove national anti-trafficking efforts. Therefore Seychelles was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR SEYCHELLES

Increase efforts to investigate and prosecute trafficking under the anti-trafficking law, and convict and punish traffickers; implement standard operating procedures to systematically identify and refer trafficking victims to services; provide specialized training to government officials, including members of the National Coordinating Committee of Trafficking in Persons, law enforcement officials, social workers, immigration officials, and labor inspectors, on victim identification and referral procedures; allocate adequate funding for victim services; increase effectiveness of the National Coordinating Committee; adopt a law prohibiting the retention of passports by employers of migrant workers; provide adequate oversight of laborers working in the SITZ, and require labor inspectors to conduct regular and comprehensive inspections of migrant workers' work sites; draft a national action plan to drive national efforts to combat all forms of trafficking; remove the required fee for a migrant worker to file a complaint with the Labor Tribunal; screen for potential trafficking offenses among complaints before the Labor Tribunal; implement labor laws in all of Seychelles, including the international trade zone, and authorize officials to monitor domestic workers' employment; conduct anti-trafficking awareness campaigns to increase the understanding of the crime among the local population and the large number of

foreign tourists and migrant workers entering the country; and utilize the national centralized anti-trafficking data collection and reporting tool.

PROSECUTION

The government decreased law enforcement efforts to combat trafficking. The Prohibition of Trafficking in Persons Act of 2014 criminalized sex and labor trafficking in adults and children. The law prescribed penalties of up to 14 years imprisonment and a fine up to 500,000 Seychelles Rupees ($37,370), and in cases involving children, a maximum of 25 years imprisonment and a fine up to 800,000 Seychelles Rupees ($59,790); these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. Elements of human trafficking were also criminalized in provisions of the penal code, including Section 250 that prohibited slavery, and Section 251 that prohibited forced labor. Although child sex trafficking was criminalized under the anti-trafficking law, unclear and conflicting statutes in the penal code did not clearly define the ages of consent, causing confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age). The government, in collaboration with an international organization, began development of implementing regulations for the 2014 anti-trafficking law to more effectively address protective measures for trafficking victims.

During the reporting period, the government did not investigate or prosecute any new trafficking crimes and it has never convicted any traffickers. The government initiated its first investigation and prosecution under the anti-trafficking law in the previous reporting period and that case remained pending in court at the end of the reporting period. Unlike the prior reporting period, the National Coordinating Committee did not continue its case conferencing group, which was established to provide a cohesive approach to the investigation and prosecution of trafficking cases. The government did not conduct any training sessions for front-line officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, there were some allegations of corruption among immigration officials at the international airport. During the reporting period, immigration officers reported a lack of communication between immigration officers and possible high-level corruption, which allowed wealthy citizens from Gulf countries to coordinate the travel of young women aboard private planes, some of whom may have been trafficking victims. The government also reported that evidence collection remained a challenge. With support from an international organization, the government has had access to a national centralized anti-trafficking data collection and reporting tool since 2015; however, the government has never utilized this tool, despite receiving training from an international organization during the reporting period.

PROTECTION

The government made negligible efforts to identify and assist trafficking victims. The government did not identify any victims during the reporting period or report efforts to implement the standard operating procedures or victim assistance mechanism in order to systematically undertake such efforts; in comparison, the government proactively identified four Bangladeshi victims of forced labor and assisted 16 potential Malagasy victims following their interception during the previous reporting period. The government continued to provide accommodation, food, and travel costs, and permitted the temporary stay and employment of four Bangladeshi forced labor victims identified last reporting period. The government did not assist in or facilitate the repatriation of any trafficking victims during the reporting period, compared with the repatriation of 16 potential victims in coordination with the Government of Madagascar during the previous reporting period. There were no shelters specifically for trafficking victims or comprehensive care facilities in the country; however, in prior years, the Social Affairs Department of the Ministry of Health and Social Affairs provided victims with accommodations in private guesthouses, per diem, access to a social worker and translator, and new work permits. The government did not report providing training to social workers on implementing the victim identification and assistance tool during the reporting period, as it had done in the previous reporting period.

The 2014 anti-trafficking law allowed for limited legal alternatives to victim removal to countries in which they would face hardship; the law permitted the minister of home affairs to decide whether to allow a foreign victim to stay in the country for 30 days, issue a permit letting the victim to stay in the country for a period until the completion of legal proceedings, or deport the foreign victim. The law protected trafficking victims from being detained or prosecuted for the illegal entry into Seychelles, but it did not protect the victim from being inappropriately prosecuted for other unlawful acts committed as a direct result of being subjected to human trafficking. The government reportedly detained some potential victims entering the country through the international airport; however, there were no reports that the government inappropriately detained or penalized trafficking victims during the reporting period. Moreover, because officials did not use standard victim identification procedures, victims likely remained unidentified in the law enforcement system and as a result may have been inappropriately penalized. The anti-trafficking law allowed the government to provide compensation to victims from the fine imposed on the accused or from the Trafficking in Persons Fund; however, the government has never awarded compensation to victims or funded the Trafficking in Persons Fund. The 2014 anti-trafficking law provided for the government to place witnesses under protection and, if the court found it necessary, for trafficking trials to be held in private for the sake of the victim or witness' confidentiality and privacy. The anti-trafficking law also ensured victims could testify through closed circuit television and courtroom accommodations could be made for the psychological comfort of the victim.

PREVENTION

The government decreased prevention efforts. The National Coordinating Committee on Trafficking in Persons, established to coordinate anti-trafficking efforts across government agencies and drive national efforts, significantly decreased its efforts during the reporting period. Despite requirements in the anti-trafficking law to meet at least twice a year, the committee did not meet during the reporting period. The government did not report progress in implementing the 2014-2015 national action plan or undertaking efforts to draft an updated plan. Unlike last year, the government did not conduct annual awareness campaigns, other than distributing the national helpline number to the public. The Ministry of Employment, Entrepreneurship Development and Business Innovation (MOE) reported that, in partnership with the Government of the Philippines, it had developed new brochures detailing migrant worker rights, but did not report whether the brochures were disseminated

to any workers during the reporting period. The government maintained a police helpline for reporting crimes, including trafficking, but the government did not report whether it received any calls.

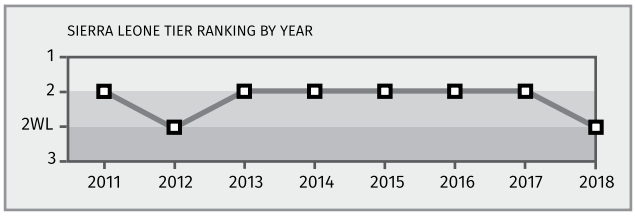
The government does not have effective policies or laws regulating labor recruiters. Trafficking vulnerabilities in labor recruitment and monitoring persisted throughout the country during the reporting period. Despite the known vulnerability, seizure and retention of passports by employers is legal under Seychellois law, unless it was specifically for the purpose of further trafficking a person. The MOE employed labor inspectors that were responsible for conducting inspections of all workplaces in the country and informing all migrant workers of their employment rights. The MOE continued to lack authority to conduct inspections in the SITZ, where many migrant laborers work, as it was considered exterritorial and was managed by the Financial Services Authority (FSA). The FSA did not provide adequate oversight of laborers working in the SITZ, nor conduct any inspections during the reporting period. The MOE did not have authority to enter private homes to monitor employers of domestic workers, limiting the government's ability to identify and investigate indicators of trafficking among this community. The Ministry of Health had authority to inspect migrant worker dwellings but did not have the mandate to investigate labor violations or potential trafficking crimes. The MOE reported an increase in the demand for expatriate domestic workers. The government provided all citizens and foreign workers with national identity cards and employment permits. The government did not make efforts to decrease the demand for commercial sex acts or forced labor during the reporting period, despite the prevalence.

TRAFFICKING PROFILE

As reported over the last five years, Seychelles is a destination country for foreign men and women subjected to labor trafficking and sex trafficking and a source country for children subjected to sex trafficking. Seychellois girls and, according to some sources, boys are subject to child sex trafficking, particularly on the main island of Mahe; they are exploited by peers, family members, and pimps in bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are vulnerable to forced prostitution and traffickers have subjected Eastern European women to forced prostitution in hotels. Migrant workers—including from Bangladesh, India, China, Kenya, Madagascar, and countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in fishing, farming, and construction; some workers are subjected to forced labor in the construction sector. Malagasy women who transit the Seychelles may be subjected to forced labor in the Middle East. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles' territorial waters and ports are subjected to abuses indicative of forced labor, including non-payment of wages and physical abuse. Migrant workers sign their employment contracts upon arrival in the Seychelles and frequently do not speak the language, which increases their vulnerability to fraudulent recruitment tactics. There were reports of employers routinely retaining migrant workers' passports to prevent them from changing jobs prior to the expiration of their two-year contracts.

SIERRA LEONE: TIER 2 WATCH LIST

The Government of Sierra Leone does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating trafficking cases and initiating prosecutions, identifying and referring victims to services, and funding temporary shelter and services for 16 Sierra Leonean trafficking victims exploited abroad. However, the government did not demonstrate increasing efforts compared to the previous reporting period. For the seventh consecutive year, the government did not convict a trafficker. Judicial inefficiency, general corruption, and procedural delays continued to prevent traffickers from being held accountable and contributed to judges dismissing many trafficking cases during the reporting period. The government continued to rely on NGOs to provide nearly all victim assistance, and uneven implementation of the national referral mechanism resulted in delayed assistance for some victims. For the fourth consecutive year, the government did not provide funding for the anti-trafficking task force to adequately fulfill its mandate or implement the 2015-2020 national action plan. Therefore Sierra Leone was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR SIERRA LEONE

Increase efforts to prosecute and convict traffickers with sufficiently stringent sentences that include imprisonment; institute witness protection and support measures to encourage greater victim participation in the criminal justice process; train police, prosecutors and judges to investigate and prosecute trafficking cases, including those at Freetown Court Number One; address procedural delays, including by allowing regional courts to try trafficking cases, and address judicial corruption so victims can participate in trials and judges cease dismissing cases against alleged traffickers; train all actors on the national referral mechanism to ensure trafficking victims receive timely services; increase financial or in-kind support to NGOs that support trafficking victims; follow the licensing procedures for recruitment agencies, and investigate agencies suspected of fraudulent recruitment; improve coordination among government agencies responsible for combating trafficking in persons; train law enforcement officers and social workers to identify trafficking victims among vulnerable populations, including children in sex trafficking and domestic servitude; sufficiently fund anti-trafficking activities in the national budget and allocate funds to the anti-trafficking task force; in collaboration with civil society organizations, increase efforts to raise public awareness of trafficking; amend the 2005 anti-trafficking law to remove sentencing provisions that allow for a fine in lieu of imprisonment; and continue to improve data collection on anti-trafficking law enforcement and victim assistance efforts.

PROSECUTION

The government maintained minimal anti-trafficking law enforcement efforts. The 2005 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and/or a fine; these penalties were sufficiently stringent. The Sexual Offences Act criminalized forced prostitution and child prostitution with penalties of up to 15 years imprisonment, which were sufficiently stringent and commensurate with penalties for rape. The anti-trafficking task force continued to review the 2005 law with the aim to align the penalties for sex trafficking with the penalties for forced prostitution prescribed in the Sexual Offenses Act.

The government reported 33 investigations, prosecution of seven suspects, and no convictions, compared to 34 investigations, prosecution of four suspects, and no convictions in the previous reporting period. All seven prosecutions were ongoing at the close of the reporting period; at least one of the prosecutions had been initiated in a previous reporting period. The government did not report how many investigations remained ongoing at the end of the reporting period, and it did not report how many, if any, investigations it had continued from the previous year. Among the 33 investigations, there were three for sex trafficking and 30 for forced labor. Due to lengthy investigations required for trafficking cases, prosecutors sometimes pursued trafficking cases under charges in the Domestic and Gender Abuse Act or the Child Rights Act because they required less evidentiary rigor and could more often result in conviction. However, the government did not report any data on trafficking cases prosecuted under these acts during the reporting period. The government last convicted an individual for trafficking or trafficking-related offenses in 2011. Judicial inefficiencies, general corruption, and procedural delays prevented traffickers from being held accountable and diminished faith in the judicial system. As a result, victims' families often accepted payments from traffickers rather than pursue cases in court and families sometimes exerted pressure on victims to not participate in investigations and prosecutions against their alleged traffickers due to security concerns, community ties to alleged traffickers, and the high cost and travel required to participate in such cases. In many cases, victims either did not agree to testify against their traffickers and prosecutors dropped the charges, or victims could not meet the travel requirements for court appearances and judges dismissed their cases. In an effort to better prosecute these crimes, the judiciary designated Freetown Court Number One as the dedicated court to hear all human trafficking cases.

Inadequate training of law enforcement and judges on human trafficking remained a key problem. The Sierra Leone Police Family Support Units trained 75 police officers from other units on trafficking in persons and human rights issues broadly. In practice, however, the police's Transnational Organized Crime Unit (TOCU) and the Ministry of Labor Social Services (MLSS) investigated most trafficking cases, and neither entity received anti-trafficking training during the reporting period. Two NGOs trained border guards and police on identifying human trafficking. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, corruption, particularly within the judiciary, remained a serious problem and affected the provision of justice to trafficking victims. Traffickers bribed prosecutors not to prosecute cases and bribed judges to dismiss cases. The government continued regular border security meetings with the Governments of Guinea and Liberia, which included trafficking, but reported its non-ratification of the ECOWAS Convention on Mutual Assistance in the Fight against Trafficking compounded the difficulties in cross-border investigations.

PROTECTION

The government maintained uneven protection efforts. The government identified 46 trafficking victims in Sierra Leone and abroad, compared to 34 victims identified in the previous reporting period. Among the victims identified, authorities reported males and females, adults and children, and victims of sex trafficking, domestic servitude, and internal labor trafficking. The majority of victims were Sierra Leoneans exploited in labor trafficking in a foreign country. The government relied on NGOs to care for the majority of trafficking victims. The government referred 33 of the 46 victims it identified to NGOs for care. The Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) operated a temporary shelter for victims of gender-based violence that trafficking victims could access, and it referred two trafficking victims to the shelter during the reporting period. It was unclear how much funding the shelter received. The government did not report if the other 11 victims identified received government or NGO services; at times, family members provided intra-familial care. In the previous reporting period, the government had committed to devoting approximately 119 million Leones ($15,570) quarterly to an NGO shelter that cared for the majority of trafficking victims; however, it disbursed only one payment of approximately $3,940 to the NGO during the reporting period, and did not provide any other financial support to NGOs that delivered nearly all victim care. NGOs reported identifying and providing services to seven additional victims. One NGO operated a shelter specifically for trafficking victims and offered medical, psycho-social, legal, and reintegration support. The center cared for both foreign and domestic victims; however, staff did not permit victims to leave unchaperoned. Two additional NGOs operated shelters that cared for vulnerable children, including trafficking victims. The government had standard measures to identify trafficking victims, including victims among vulnerable populations. The government had a national mechanism to refer trafficking victims to services; however, a lack of training on the mechanism caused delays in provision of services to victims. In one case, a victim slept at a police station for three weeks because authorities did not request appropriate housing, and in several other cases, MSWGCA officials disregarded the standard protocols for referring victims to NGOs for specialized care. In one case, police intercepted a suspected trafficker and suspected trafficking victims at the border. When alerted to this case, MSWGCA did not follow the established procedures to refer trafficking victims to care, and instead drew up fostering paperwork to allow the children to travel with the alleged trafficker a second time; police intercepted the suspected trafficker a second time and released her after investigation, while an NGO cared for the children.

The Sierra Leonean embassy in Kuwait temporarily housed several trafficking victims and referred others to a shelter for care; the government-funded repatriation for five victims, and an international organization repatriated an additional 10 trafficking victims. In addition, the embassy in Guinea housed and provided food, clothing, and repatriation for 11 trafficking victims; however, the government continued to hold the victims' passports at the close of the reporting period. This was comparable to Sierra Leonean embassies supporting and repatriating at least 25 trafficking victims from Kuwait and Guinea the previous reporting period. The Ministry of Foreign Affairs engaged with the Government of Kuwait to advocate for humane treatment of Sierra Leonean domestic workers. The government provided a brochure to migrants returning from Libya with information on social services trafficking victims could access.

The government did not provide sufficient protection or support

to victims who participated in trials against their traffickers; as a result, many victims could not meet the travel requirements for court appearances and judges dismissed their cases. Two trafficking victims participated in trials against their traffickers during the reporting period. The anti-trafficking law did not provide for restitution, and while victims could file civil suits against their traffickers, none did so during the reporting period. The Sexual Offenses Act provided for restitution, which sex trafficking victims could access; however, restitution could only be pursued after conviction, and there were no convictions during the reporting period. The law provided alternatives to removal to countries in which victims would face retribution or hardship, including temporary residency; the government did not report providing these services to any victims during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a direct result of being subjected to trafficking, but inadequate screening for trafficking may have resulted in some victims remaining unidentified in the law enforcement system.

PREVENTION

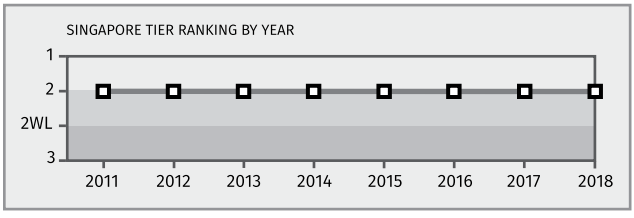
The government made minimal efforts to prevent trafficking. The anti-trafficking task force had a 2015-2020 national action plan and met regularly, but the government did not provide an operational budget for the task force or funding for implementation of the plan, which limited activities and impeded law enforcement efforts. While MLSS had strict licensing procedures for new recruitment agencies to prevent exploitation of intending migrant workers, it continued to issue business registration certificates before TOCU had finished vetting the prospective agencies. The government did not report any tangible efforts to correct this issue. After continued reports of Sierra Leonean women fraudulently recruited to Kuwait for domestic work and forced prostitution, TOCU and MLSS investigated alleged fraudulent recruitment networks for suspected trafficking, and some of these investigations led to prosecution. MSWGCA and police participated in several radio programs to raise awareness of human rights, including the dangers of human trafficking. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. After identifying Sierra Leonean forced labor victims abroad, Sierra Leonean embassies in Kuwait and Guinea contacted other migrant workers in the country to inform them of the dangers of human trafficking and provide them with information on their rights as workers and assistance available. In addition, the government provided 5 million leones ($650) to some trafficking victims upon repatriation to educate their communities about trafficking. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Sierra Leone is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Traffickers recruit victims largely from rural provinces to urban and mining centers for exploitation in sex trafficking and forced labor in domestic service, artisanal diamond and granite mining, petty trading, portering, making ceramics, rock breaking, quarrying, street crime, and begging. Traffickers exploit victims in fishing and agriculture, and sex trafficking or forced labor through customary practices, such as forced marriages. The government reported child sex trafficking—especially of children from poor homes—was a serious problem, including at beaches and in nightclubs. Local demand fueled the majority of child sex trafficking, although foreign tourists were also clients at beaches and nightclubs. Traffickers typically operate individually, convincing parents to hand over their children and promising to provide an education or better life but instead exploiting the children in trafficking. Children from neighboring West African countries have been exploited in forced begging, forced labor, and sex trafficking in Sierra Leone, and Sierra Leonean children are taken to Mali, Niger, and increasingly Guinea for forced labor and sex trafficking. During the reporting period, traffickers exploited Lebanese and Indian men in forced labor in Sierra Leone; in previous years, Chinese, Indian, Kenyan, and Sri Lankan men have been forced labor victims in Sierra Leone. Traffickers have exploited boys and girls from Sierra Leone reportedly as "cultural dancers"—and possibly also for sexual exploitation—in The Gambia. During the reporting period, an increasing number of traffickers, including family members, tried to sell Sierra Leonean children for domestic servitude. Sierra Leonean adults voluntarily migrate to other West African countries, including Mauritania and Guinea, as well as to the Middle East and Europe, where some are subjected to forced labor and forced prostitution. Sierra Leonean-Kuwaiti trafficking networks increasingly fraudulently recruit Sierra Leonean for education in Europe and the United States but subject them to domestic servitude in Kuwait. During the reporting period, authorities identified traffickers moving women through Guinea en route to exploitation in Kuwait. Traffickers also exploit Sierra Leonean women in domestic servitude in Egypt and Lebanon. During the reporting period, an international organization repatriated at least 186 Sierra Leoneans from Libya, some of whom were victims of slavery and sex trafficking. It also reported that some Libyan soldiers sold stranded Sierra Leonean migrants in their custody to Libyan and Middle Eastern traffickers.

SINGAPORE: TIER 2

The Government of Singapore does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Singapore remained on Tier 2. The government demonstrated increasing efforts by imposing strong sentences against convicted traffickers, improving freedom of movement for adult victims by funding the return to their country of origin prior to court proceedings, and increasing new migrant workers' awareness of their rights. However, the government did not meet the minimum standards in several key areas. Large numbers of migrant workers experienced conditions indicative of labor trafficking in Singapore, and, although the government continued to prosecute labor trafficking cases, it had yet to secure the conviction of a labor trafficker under the trafficking law. Authorities did not effectively identify victims compelled into service through psychological coercion or debt bondage, leaving some victims unidentified and subject to punishment or deportation.



RECOMMENDATIONS FOR SINGAPORE

Using the 2015 anti-trafficking law, increase investigations and prosecutions of sex and labor trafficking offenses, including debt bondage, and convict and stringently sentence traffickers; increase resources for investigative and prosecutorial training on human trafficking for Ministry of Manpower officials who handle labor violations; strengthen efforts to identify trafficking victims, including by conducting training for front-line law enforcement officials with a focus on screening for psychological coercion among women in prostitution and individuals in debt bondage; strengthen the legal framework to enhance protection for victims from punishment for acts committed as a result of being subjected to trafficking; develop formal policies to provide all victims the right to robust protective services, regardless of their individual circumstances; and strengthen cooperation with NGOs for developing and implementing anti-trafficking policies and assisting victims.

PROSECUTION

The government maintained efforts to prosecute and convict traffickers. The Prevention of Human Trafficking Act (PHTA) criminalized sex and labor trafficking and prescribed penalties of up to 10 years imprisonment and fines up to 100,000 Singapore dollars ($74,850), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes such as rape. The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA) or the Employment Act; these laws carried significantly lower penalties than the anti-trafficking law and excluded domestic workers and fishing crews.

In 2017, authorities investigated 34 trafficking cases, compared to 33 in 2016. Of these, 22 were cases of suspected sex trafficking, compared to 20 cases in 2016. The Ministry of Manpower investigated 12 suspected labor trafficking cases involving four suspects under the anti-trafficking law, compared with 13 cases involving three suspects in 2016; however, the government determined that none of the cases in 2017 violated trafficking laws. The government prosecuted 10 suspected traffickers (one labor trafficking suspect and nine sex trafficking suspects) and convicted four persons, compared to 13 prosecutions (10 sex trafficking and three labor trafficking suspects) and three convictions in 2016. One convicted trafficker received a sentence of six years and eight months imprisonment and a fine of 2,000 Singapore dollars ($1,500). In a previously reported case involving two defendants convicted in 2016 for starving a domestic worker, the government reported the appeal resulted in an increased sentence of 10 months for both. Through appeals by prosecutors, two similar cases involving abuse of domestic workers received increased sentences in 2017; however, the government had yet to obtain a labor trafficking conviction under the trafficking law, nor had it ever prosecuted any cases of domestic servitude under the trafficking law.

Law enforcement partnered with a local NGO to create a video to train officers on psychological trauma of sex crime survivors so officers can employ more appropriate interviewing techniques. The Ministry of Manpower collaborated with a foreign government to develop a course for its labor investigators to build their capacity, including the investigation of human trafficking cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. The government continued to work closely with international counterparts, including continuing to investigate a cross-border case initiated in February 2017 that alleged a foreign national resident of Singapore was promoting commercial sex tours involving minors.

PROTECTION

The government increased protection efforts. The government reported identifying 25 alleged victims (eight sex trafficking victims and 17 labor trafficking victims), compared to 33 alleged victims (20 sex trafficking and 13 labor trafficking victims) in 2016. The government identified two child victims in 2016 and eight in 2017. Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. Immigration officials referred suspected victims to lead investigative agencies. All police officers received basic training in victim identification; however, several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving sex or labor exploitation through various forms of psychological coercion or debt bondage, and among migrant workers. NGOs reported authorities' opaque victim identification and referral standards sometimes complicated effective use of the government's referral mechanism.

The government provided 80 percent of the cost of some services, including funding for shelters to accommodate adult and child victims. The government designated one shelter exclusively for adult female trafficking victims. Authorities permitted freedom of movement outside of the shelter for most residents, but restricted movement for any residents deemed to be under physical threat or in need of psychological care. Although the government did not identify any male victims during the year, it designated one shelter for male victims. The government allocated funding for an NGO that provided trauma recovery services including counseling and medical care for female victims. The government provided a range of additional support measures, including interpreters, medical services, temporary work permits, and resettlement assistance. However, absent a formal policy mandating the provision of these services to all victims, and due to front-line officers' incomplete understanding of psychological coercion, some victims likely did not benefit from these services. NGOs reported police did not consistently screen for trafficking indicators among women apprehended in law enforcement operations; the government may have prosecuted and punished unidentified sex trafficking victims for immigration violations or soliciting.

To provide freedom of movement, the government implemented a new policy initiative in 2017 permitting victims who were material witnesses in court cases against their former employers to leave the country, at the government's expense, pending trial procedures. Four victims benefited from this policy during the year. The government offered assistance such as shelter and food for victims participating in investigations and prosecutions of trafficking offenses. The government granted six victims short-term work permits, available for the duration of their legal processes, compared to 12 in 2016. NGOs reported that the government facilitated pro bono legal assistance for victims of trafficking to pursue civil court claims for restitution; most declined the offer, but one victim received five years of unpaid wages in a civil claim. The government did not provide long-term alternatives

to removal to countries where victims may face hardship or retribution.

PREVENTION

The government increased efforts to prevent trafficking. The interagency task force continued coordination of anti-trafficking efforts outlined in Singapore's "National Approach against Trafficking in Persons," which launched in 2016. The task force conducted campaigns through social media, news outlets, and other outreach materials to educate workers on their rights, raise public awareness of trafficking, and publicize efforts to punish employers for trafficking-related violations. NGOs received public grants totaling 80,000 Singapore dollars ($59,880) to assist with conducting awareness raising campaigns. The government launched new initiatives in 2017 to improve communication with vulnerable foreign workers, including a new mobile phone app and a one-day mandatory course to inform new arrivals of their rights. The government provided a pre-departure video at overseas testing centers to educate foreign workers on regulations prior to migrating to Singapore. The government prosecuted two unlicensed employment agents illegally collecting fees from migrant workers in Singapore. The government also conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government made some efforts to reduce the demand for commercial sex acts and forced labor.

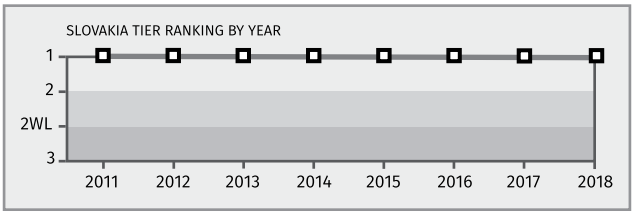
TRAFFICKING PROFILE

As reported over the past five years, Singapore is a destination country for men, women, and girls from other Asian countries subjected to sex trafficking and forced labor, a source country for Singaporean women and children subjected to sex trafficking, and a transit country for Asian men subjected to forced labor on fishing vessels that transit through Singapore or its territorial waters. Some of the 965,000 foreign work permit holders that comprise more than one-quarter of Singapore's total labor force are vulnerable to trafficking; most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. Traffickers compel victims into sex or labor exploitation through illegal withholding of their pay, threats of forced repatriation without pay, restrictions on movement, and physical and sexual abuse. Withholding travel documents, such as passports, is illegal in Singapore; however, it remains a common practice for some employers. Although Singaporean law limits agency fees and mandates prosecution for those who exceed them, many foreign workers assume large debts to recruitment agencies or individual recruiters in their home countries and sometimes in Singapore, making them vulnerable to forced labor, including debt bondage. Some recruitment agencies illegally engage in contract switching and charge workers fees over the legal limit. Foreign workers have credible fears of losing their work visas and deportation, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities.

Foreign women sometimes arrive in Singapore with the intention of engaging in prostitution, but under the threat of serious harm or other forms of coercion, they become victims of sex trafficking. A small number of Singapore residents facilitate and engage in child sex tourism abroad. Some captains used physical abuse to force men to perform labor on long-haul fishing vessels that transit or dock at Singaporean ports, and some agencies in Singapore use deceptive tactics to recruit Asian men for this work.

SLOVAKIA: TIER 1

The Government of the Slovak Republic, or Slovakia, fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovakia remained on Tier 1. The government demonstrated serious and sustained efforts by increasing investigations, indictments, and convictions of traffickers. The government identified more victims and increased funding for victim services. Although the government meets the minimum standards, the high number of suspended sentences for trafficking convictions undercut efforts to hold traffickers accountable. In contrast to past years, only one-fifth of identified victims benefited from the victim assistance program. Authorities did not adequately identify foreign or domestic trafficking victims within the country, screen migrants for trafficking indicators, or identify child victims. Legal support to victims was not always adequate, and victims who cooperated with prosecution were at risk of re-traumatization. Slovak law does not protect victims of trafficking from prosecution for all crimes which they committed as a result of their being subjected to trafficking.



RECOMMENDATIONS FOR SLOVAKIA

Vigorously investigate, prosecute, and convict traffickers, and sentence those convicted to effective prison terms; improve sentencing norms and regulations by limiting the plea bargain procedure for trafficking offenses and sensitizing judges to the severity of trafficking crimes; protect victims from potential retaliation and intimidation in the course of law enforcement and judicial proceedings, including by implementing the new exemption from direct confrontation and increasing training and capacity building for investigators, prosecutors, and judges on a victim-centered approach to law enforcement efforts; improve law enforcement efforts to identify domestic and foreign victims within the country, including by training government officials, particularly border police, on proactive victim identification among vulnerable groups; improve identification of child victims; update formal written procedures for victim referral and outline roles for officials and all stakeholders in order to improve victims' access to and the quality of legal assistance; and streamline definitions and methodologies for gathering law enforcement and victim data.

PROSECUTION

The government maintained law enforcement efforts. Section 179 of the criminal code criminalized sex and labor trafficking and prescribed penalties of four to 10 years imprisonment for trafficking offenses. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017, government officials initiated 37 new investigations (25 in 2016, eight in 2015). Prosecutors newly indicted 25 alleged traffickers under section 179 of the criminal code (10 in 2016, 22 in 2015, and 18 in 2014). Prosecutors entered plea bargains with an additional three individuals. Courts closed six trafficking cases (two cases from 2017, one from 2016, two from 2015, and one from 2014). Prosecutors obtained convictions of 14 Slovak citizens under the trafficking law (four in 2016, 21 in 2015, and 19 in 2014). Courts sentenced five convicted traffickers to effective prison terms ranging four to 10 years, but courts fully suspended nine convicted traffickers' prison sentences and instead issued probation. Over the past five years, a large number of trafficking convictions resulted in short, reduced, or fully suspended sentences; authorities reported courts tended to reduce sentences for first-time offenders, when the parties reached a plea bargain or when the defendant pled guilty, or because a victim's testimony may not have been strong enough to prove aggravating circumstances warranting a higher sentence. National police cooperated with United Kingdom (UK) police, EUROPOL, and INTERPOL. The national police cooperated with the financial intelligence unit of the national criminal agency to establish a set of indicators for identifying suspicious financial transactions potentially related to trafficking. During 2017, the government extradited one individual on trafficking charges to Austria.

The Irregular Migration Unit within the Bureau of Border and Alien Police (BBAP) coordinated law enforcement efforts. NGOs commended the head of the trafficking unit within BBAP for promptly and proactively investigating suspected trafficking and for facilitating improved referral of cases to specialized police officers. Differences in how various institutions gathered law enforcement statistics hindered the effective comparison and monitoring of trafficking-related efforts. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. The judicial academy and the Ministry of Interior (MOI) conducted one seminar on identifying trafficking victims for judges, prosecutors, and police officers. The government trained 35 members of the national police unit, and the police academy trained approximately 60 members of the foreign police unit. The MOI did not launch a previously reported trafficking curriculum for police high schools in Bratislava and Kosice, but continued seeking accreditation. The MOI and labor inspectorate conducted more than 340 joint inspections of workplace entities, screening more than 3,200 individuals; the government did not identify any victims of trafficking in these inspections.

PROTECTION

The government maintained efforts to protect victims. In 2017, the government identified 75 victims (32 in 2016 and 25 in 2015). NGOs identified an additional 13 victims. Of the 88 total victims identified, 58 were female (including 11 underage girls), 30 were male, and two were foreign citizens. Sexual exploitation remained the most common form of trafficking, with 38 cases reported by the police, followed by forced begging (16 victims), forced labor (15 victims), forced marriage (seven victims), forced engagement in criminal activities (three victims), and unknown (one victim); some cases included multiple forms of exploitation. The national police reported 60 of the 75 victims formally identified by law enforcement involved Slovak victims exploited in other countries, mainly the UK and Germany. GRETA's critique remained relevant that the identification of foreign national, unaccompanied minor, and Slovak national victims within the country remained a challenge, and the statistics on identified victims did not reflect the actual scale of this phenomenon in the country.

The MOI state secretary acted as the national coordinator on anti-trafficking efforts and approved the official identification of victims and their enrollment into the victim assistance program. Some NGOs continued to criticize the government's victim assistance program for placing too high a burden of proof on the victim, impeding access to care services, and allowing too much discretion by law enforcement to decide whether a potential victim could enroll in the program. Of the 88 victims, 19 entered the government-funded victim care program in 2017 (21 of 45 total victims in 2016 and 25 of 28 total victims in 2015). The government reported a lower percentage of victims entered the program in 2017 because they did not require the full range of services. In 2017, the government provided €275,000 ($330,130) to two NGOs for the victim assistance program, compared to €221,600 ($266,030) in 2016, and €213,000 ($255,700) in 2015. This funding covered the support and care of victims, voluntary return of victims, and the national trafficking hotline. The MOI allocated €19,000 ($22,810) in grants for anti-trafficking projects.

NGOs provided victims shelter and care services, including financial support, repatriation to Slovakia, health care, psycho-social support, and legal and interpretation services. Shelters for domestic violence victims housed trafficking victims separately. There were limited accommodations for victims with families. The government did not fund a specialized victim care provider dedicated to child victims. Child trafficking victims could be accommodated in government-run children's homes or an NGO-run crisis home for children; no children entered the care program in 2017 (six in 2016). While law enforcement and social workers had procedures to refer victims to the national coordinator or care facilities, other officials lacked such procedures, including health care specialists, employees of foster homes, and counselors of offices of labor, social affairs, and family. The MOI began outlining procedures for these professionals.

The government did not adequately identify foreign trafficking victims; NGOs reported authorities did not properly identify potential victims among migrants or refer them to services because it encouraged them to take advantage of assisted voluntary return. Experts criticized government screening, outreach, and prevention efforts among foreign workers as insufficient, especially among Serbian and Ukrainian temporary workers employed in the manufacturing and construction sectors. Border police did not always proactively screen migrants for indicators of trafficking, despite having received numerous victim identification trainings. NGOs under MOI contract conducted 10 screening visits to asylum-seeker facilities and irregular migrant detention facilities to provide victim services. The Slovak Embassy in London did not report the number of Slovak victims identified (11 in 2016, none in 2015, and 151 in 2014), but it assisted five Slovak victims with voluntary return in 2017. A government-funded NGO assisted seven Slovaks subjected to trafficking abroad with voluntary returns. The government offered repatriation services for foreign victims, and assisted one national of Ukraine in the reporting period.

All potential victims were eligible for at least 30 days of crisis care; victims enrolled in the assistance program by the national coordinator were eligible for up to 180 days of care without having to participate in an investigation. There were no cases of victims denied entry into the program, but it was unclear what would happen procedurally in such a case. Victims who decided to participate in an investigation were eligible for victim care services for the duration of court proceedings. Unaccompanied minors were automatically eligible for tolerated residency, which allowed a foreigner to temporarily reside in Slovakia with legal status. Migrants suspected of being victims of trafficking were eligible for tolerated residency. Victims of trafficking were eligible for tolerated residency for a period of up to 180 days, during which they had to decide whether to participate in an investigation. Slovak law allowed foreign victims to seek employment, but due to uncertain length of their tolerated residency status while participating in an investigation, employers were reluctant to hire foreign victims. The law authorized the extension of permanent residency to foreign trafficking victims who would face hardship or retribution if returned to their country of origin; however, authorities issued no such residence permits.

All 75 trafficking victims identified by police cooperated with police and prosecutors in investigating and prosecuting trafficking cases. NGOs did not report any cases of coerced cooperation. The pre-trial and trial process, however, was not always adapted, nor law enforcement, prosecutors, or judges sufficiently trained, to avoid re-traumatization of victims. As reported by GRETA in 2015, victims provided testimony multiple times and in close proximity to suspected traffickers during the pre-trial and trial process. The government passed a crime victims protection law, effective January 1, 2018, that provided psychological assistance and legal counsel to victims in pre-trial proceedings and reclassified trafficking victims as "particularly vulnerable victims," which were not to be subject to direct cross-examination. NGOs reported little clarity regarding practical implications of the law and its application, and skepticism that judges would be willing and able to enforce the new provisions. Witness protection programs existed, but had not been used to protect trafficking victims. The new law also facilitated victims' claims for compensation from the state during criminal proceedings. Although Slovak law allowed victims to pursue restitution through civil and criminal cases, experts noted judges did not award damages in the majority of cases, whether criminal or civil proceedings, and victims lacked legal and financial support to pursue damage claims in the various stages of extremely lengthy proceedings. The government did not report cases of victims being awarded restitution. Moreover, experts noted lawyers provided by the government might not have had relevant experience and knowledge to handle trafficking cases. There were no reports of the government penalizing victims for unlawful acts committed as a direct result of being subjected to trafficking, however, unidentified foreign victims may have been prosecuted or deported. As reported by GRETA, the law outlined a narrow interpretation of the non-punishment of victims, giving prosecutors discretion to terminate criminal prosecution only for offenses committed by negligence and offenses carrying a maximum sentence of imprisonment of five years; it did not cover administrative offenses.

PREVENTION

The government increased efforts to prevent trafficking. A national program to fight trafficking, covering 2015-2018, continued to guide all government anti-trafficking efforts, and the MOI published an implementation report on its website in March 2018. The MOI's crime prevention office coordinated the government's anti-trafficking activities, including preparing policy documents, implementing projects with NGO partners, training officials on victim identification, conducting awareness campaigns and trainings, and convening the expert working group, consisting of government and NGO representatives. The crime prevention office housed an information center, which managed the victim care program and functioned as the national rapporteur. The center also collected statistics on the government's anti-trafficking efforts, but faced challenges reconciling the data from different institutions. In April 2018, the center produced a comprehensive report assessing the trafficking situation in Slovakia and the government's efforts. The government launched extensive trafficking prevention and public awareness campaigns to engage the general public, students, employers, and at-risk children in orphanages. Experts reported foreign migrants working in Slovakia lacked basic information on trafficking indicators and resources for victim assistance. In December 2017, the labor ministry convened a working group to begin preparing a brochure for Serbian temporary workers on the labor code and the rights and obligations of foreign employees. The government continued a nationwide public awareness campaign to promote the national trafficking hotline. The MOI continued negotiations with major local employers to use their internal communication channels to disseminate trafficking awareness information. The government continued to implement an internet-based computer application that allowed the families of Slovaks traveling abroad to receive alerts should the user cease online activity. A publicly supported anti-trafficking hotline operated by an NGO for 12 hours per day received approximately 400 calls related to trafficking; no victims were identified through the hotline. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

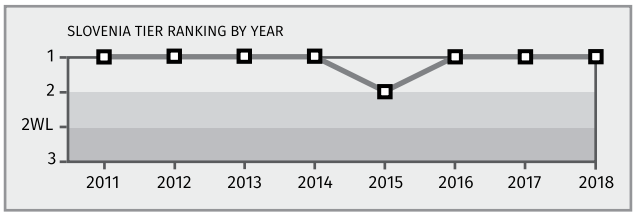
TRAFFICKING PROFILE

As reported over the past five years, Slovakia is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Slovak men and women are subjected to forced labor in agriculture and construction in Western Europe, primarily in the UK. Slovak women are subjected to sex trafficking in the UK, Germany, Denmark, Austria, Switzerland, Belgium, Ireland, Poland, and other European countries, as well as the United States. NGOs report Ukrainian, Moldovan, Bulgarian, Romanian, Serbian, Thai, Filipino, and Vietnamese men and women are subjected to forced labor in Slovakia. Temporary workers from Serbia and Ukraine, recruited to work in the manufacturing and construction industries, are in some cases subject to deplorable conditions that may rise to the level of trafficking, including non-payment of wages. Thai and Filipina women may be subjected to sex trafficking or forced labor in domestic service or massage parlors or spas. Eastern European women are reportedly transported to and through Slovakia and forced into prostitution within the country and throughout Europe. Roma from marginalized communities are disproportionately vulnerable to trafficking. Slovak women of Romani descent are particularly vulnerable to sex trafficking; they are transported to the UK by force or deception for sham marriages for the purpose of sex trafficking or forced labor. Slovak children of Romani descent are subjected to sex trafficking within marginalized communities in the Slovak Republic and forced criminal behavior in the UK. Slovak men, women, and children of Romani descent are subjected to forced begging throughout

Western Europe. Children without family or relevant support structures who leave institutional care facilities are subjected to sex and labor trafficking.

SLOVENIA: TIER 1

The Government of Slovenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Slovenia remained on Tier 1. The government demonstrated serious and sustained efforts by convicting more traffickers and sentencing them to more severe sentences than in previous years. The government offered training across a broad range of government personnel and identified more victims. Although the government meets the minimum standards, it did not consistently provide proper facilities to assist child victims of trafficking, and it limited availability of one type of restitution only to victims from EU member states.



RECOMMENDATIONS FOR SLOVENIA

Provide proper systems and designated facilities to assist child victims of trafficking, particularly unaccompanied children, as well as enhanced training of supervisors and foster care parents; increase efforts to facilitate access to restitution for both EU and non-EU citizen victims alike, including from convicted traffickers; expand efforts to identify victims of both sex and labor trafficking among vulnerable populations, including individuals in prostitution, foreign workers, unaccompanied children, children in begging, and persons transiting Slovenia; increase steps to reduce demand for the services of both sex and labor trafficking victims; continue prevention outreach that targets vulnerable populations, such as Roma; vigorously prosecute sex and labor trafficking offenses, and impose on all traffickers sentences that reflect the severity of their crime; establish and maintain a comprehensive publicly available statistical system on measures taken to protect and promote the rights of victims, and including data on investigations, prosecutions, and judicial determinations; increase efforts to provide potential victims with information about rights and access to services in languages they understand; and expand national awareness activities.

PROSECUTION

The government increased law enforcement efforts. Article 113 of the criminal code criminalized sex and labor trafficking and prescribed penalties ranging from one to 10 years imprisonment, and up to 15 years if the offense involved a minor or if there were aggravating elements. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In 2017 police conducted five trafficking investigations, the same number as in 2016. The investigations involved 67 criminal acts, 66 victims, and 15 perpetrators. Authorities initiated or continued seven prosecutions of 19 defendants. The government convicted 10 defendants of trafficking in 2017, compared with nine in 2016 and three in 2015. The courts sentenced all 10 to prison terms ranging from six months to eight years. Six of the 10 received sentences of greater than two years, and one received an eight-year sentence. In addition to prison terms, eight of the 10 convicted defendants received fines plus confiscation of property in amounts ranging between €3,500 to €36,000 ($4,200 to $43,220). In one noteworthy case in January 2018, police raided a fraudulent phone bank facility and identified 32 trafficking victims from Taiwan. These victims had been forced to call private individuals in China under false pretenses to gain access to personal bank account information. Prosecutors charged three Slovenian and 12 Chinese defendants under human trafficking statutes. The telephone fraud operation in Slovenia functioned under a broader international network, and Slovenian police worked closely with Croatian police who concurrently disrupted a similar operation in Croatia. Police followed the victim protection referral process and transferred the victims to shelters and care providers. All the victims returned voluntarily to Taiwan in February after recording statements available to the court for use during the trial of the perpetrators. The 2017-2018 National Action Plan mandated training of all government employees with positions that may encounter trafficking issues, and the government continued to conduct specialized training for investigators, prosecutors, judges, border control officials, and police. Each of the eight police districts had at least one officer specialized in trafficking investigations, together operating as a de facto national coordination network.

PROTECTION

The government increased victim protection efforts. The government allocated €85,000 ($102,040) for victim protection in 2017, the same level as in 2016 and 2015. The government identified 98 victims—66 adult sex trafficking victims in 2017 (compared to 27 in 2016 and 47 in 2015) and 32 Taiwan labor trafficking victims in 2017. Authorities trained 80 labor inspectors in April 2017 on identifying trafficking indicators and 181 employees of the Ministry of Public Administration on signs of trafficking in work and residency permit applications. The Chamber of Social Workers and the Ministry of Labor together trained 60 social workers serving migrants and potential victims of trafficking. The Financial Administration trained 35 mobile financial inspectors and 52 other employees on spotting transactions with trafficking indicators. The government continued distribution of the Manual for Identification of Victims of Trafficking in Persons, adopted in 2016, to relevant government officials.

The ministries of interior and labor funded two NGOs for crisis and safe housing for victims, supplemented by private donations and support from the Catholic Church. Child victims of trafficking continued to lack adequate assistance, and there were no designated facilities for unaccompanied child trafficking victims, who instead were provided shelter jointly with unaccompanied migrants and received care through the Center for Social Work. The 2018 GRETA report highlighted the concern of unaccompanied child victims disappearing from public care, underscoring the need for suitable accommodation and fully trained supervisors or foster parents. Foreign victims were allowed a 90-day reflection period to reside in Slovenia while recovering and considering whether to participate in an investigation, although they were not authorized for employment during this period. During this period, they were allowed to remain in temporary accommodations based on their temporary residence permit. Foreign victims willing

to cooperate in criminal proceedings were allowed to extend their stay by 180 days or longer, depending on the duration of trial proceedings. When participating in pre-trial and criminal proceedings, victims were allowed a temporary residency permit and additional services, including accommodation, translation and interpretation services, and a protective escort. The GRETA report noted a need to improve the process of providing comprehensive information to victims in a language they could easily understand to assess their choices, including participation in programs to resist re-victimization. The government-funded two NGO hotlines offering help to both domestic violence and trafficking victims. Only citizens of EU countries were able to apply for restitution from the state fund for crime victims; other victims could seek restitution through the courts.

PREVENTION

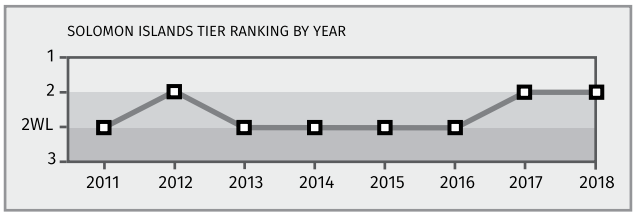
The government maintained prevention efforts. The Ministry of Interior's interdepartmental working group (IWG), led by the National Coordinator for Countering Trafficking in Persons, organized awareness efforts that included producing an annual monitoring report. Slovenia did not have an independent national rapporteur. NGOs participated in the IWG, which met every two months. The IWG allocated approximately €20,000 ($24,010), an amount similar to 2016, for four awareness projects targeting potential trafficking victims, particularly schoolchildren and migrant workers. The government marked the EU Anti-Trafficking Day with media focused on labor trafficking. A government-funded NGO performed a theatrical production before 1,000 elementary students, expected to reach 10,000 students by June 2018. The government communications office remained underfunded, particularly in light of research on new trends in trafficking methods, and the need to expand related awareness. A government website promoted awareness of forced labor and labor exploitation with international research, information on investigations and prosecutions, and a mechanism for contacting NGOs providing assistance to potential victims. Although the website expanded the amount of information available, there was no public data on measures taken to protect and promote the rights of victims. Slovenia was active in regional cooperation, meeting twice yearly with national anti-trafficking coordinators in Western Balkans countries to review new forms of trafficking in the region, share best practices, and consider joint strategies. Slovenian officials assisted Serbia and Bosnia and Herzegovina in drafting national counter-trafficking strategies. They also trained Serbian police on restructuring investigation procedures. The government did not take significant measures during the reporting period to reduce the demand for commercial sex or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Slovenia is a destination, transit, and, to a lesser extent, a source country for women and children subjected to sex trafficking and for men, women, and children subjected to forced labor and forced begging. Foreign workers and illegal migrants from countries such as Bosnia and Herzegovina, Romania, Serbia, Slovakia, Slovenia, and Ukraine are among the most vulnerable to labor trafficking, and are exploited in the construction sector, or in forced begging. Sometimes these persons are in transit to Western Europe, particularly Italy, Austria, or Germany, where they experience continued vulnerability to forced labor. Women and children from Slovenia, Eastern European and Western Balkan countries, and the Dominican Republic are subjected to sex trafficking within the country, and many also transit to Western Europe where they may face sexual and labor exploitation. Ethnic Roma are particularly vulnerable to trafficking in Slovenia.

SOLOMON ISLANDS: TIER 2

The Government of the Solomon Islands does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore the Solomon Islands remained on Tier 2. The government demonstrated increasing efforts by initiating its first two prosecutions of suspected traffickers and investigating the parents of two child victims, further amending its legal framework to provide additional protections for children against all forms of trafficking, and implementing victim identification procedures. However, the government did not meet the minimum standards in several key areas. Victim protection was severely lacking as the government did not provide resources such as shelter and psycho-social support for all victims. Low awareness among government officials and the public hindered progress, yet the government did not conduct any anti-trafficking training.



RECOMMENDATIONS FOR THE SOLOMON ISLANDS

Investigate and prosecute both sex and labor trafficking offenses and convict and punish traffickers with dissuasive prison sentences; amend anti-trafficking laws to ensure that the penalties for sex trafficking offenses occurring outside Solomon Islands are commensurate with the penalties for other grave crimes, such as rape; increase efforts to identify sex and labor trafficking victims, including in the fishing, logging, and mining industries; provide training on human trafficking laws and victim identification procedures to immigration officials, law enforcement officers, and social service providers, including at the provincial level; increase government support for victim services, including through the allocation of funding; institute a campaign to raise public awareness of human trafficking; allocate funding to relevant ministries to implement the national action plan for combating trafficking in persons; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased law enforcement efforts. The penal code, together with provisions in the Immigration Act, criminalized sex and labor trafficking. Article 143 of the penal code criminalized child sex trafficking and prescribed penalties of up to 15 or 20 years imprisonment, based on the child's age. Article 145 of the penal code criminalized sex and labor trafficking when the offense occurred within the country and prescribed penalties of up to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Immigration Act criminalized other forms of trafficking, including crimes in which the recruitment,

transportation, harboring, or receipt of the trafficking victim occurred outside the Solomon Islands. The Immigration Act prescribed penalties of up to five years imprisonment, a fine of up to 45,000 Solomon Island dollars ($6,010), or both for the trafficking of adults; it prescribed a penalty of up to 10 years imprisonment, a fine of up to 90,000 Solomon Island dollars ($12,010), or both for the trafficking of children. These penalties were sufficiently stringent, but with respect to sex trafficking, not commensurate with penalties prescribed for other serious offenses.

The government prosecuted its first two alleged sex traffickers (no prosecutions or convictions recorded in previous reporting periods). Authorities prosecuted two suspected sex traffickers accused of exploiting two child victims from the Solomon Islands at logging camps. In each case, law enforcement was also investigating the victims' parents for engaging in and benefiting from child sex trafficking. Due to inadequate funding at enforcement agencies, authorities were slow to respond to reports of trafficking. Law enforcement lacked logistical resources and technical expertise to pursue investigations. The government did not initiate or conduct any training programs. A foreign government conducted training for law enforcement officials on human trafficking investigations with logistical support from the government. Many officials remained unaware of anti-trafficking legislation and an overall lack of awareness of trafficking hindered effective law enforcement activity. The government did not conduct any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government maintained efforts to protect trafficking victims. It continued implementing victim identification guidelines and a screening tool to assess potential cases. The government conducted multi-agency monitoring and inspection operations at logging, mining, and fishing operation sites. The government reported identifying two victims. In comparison, authorities identified 11 trafficking victims in 2016 and 15 victims in 2015. No trafficking-specific services existed in the country; however, one local organization operated a shelter in Honiara for domestic violence victims that could provide shelter to female sex trafficking victims. Police referred one sex trafficking victim to the shelter and trauma counseling through an international NGO. The government provided a total of 700,000 Solomon Islands dollars ($93,450) to fund the shelter and provide victim services. A lack of long-term protective services left victims vulnerable to re-trafficking after being returned to their home communities. No shelter services existed for victims of labor trafficking.

The Immigration Act granted the government authority to provide temporary residence permits to allow foreign victims to assist police with investigations and provided victims protection from prosecution for immigration-related crimes committed as a result of being subjected to trafficking. The government did not report whether these protections would be extended to victims whose cases were investigated under the penal code. Authorities may have arrested and prosecuted sex trafficking victims for prostitution violations without screening to determine whether they were trafficking victims. Due to lengthy legal processes, fear of retaliation by traffickers or prosecution by police, and a lack of incentives to remain and participate in cases, foreign victims typically opted to return to their home countries, which hindered prosecutions. The government reported trafficking victims were able to seek compensation from their employers through civil suits, although no trafficking victims had filed such suits.

PREVENTION

The government maintained limited efforts to prevent trafficking. The Anti-Human Trafficking Advisory Committee (AHTAC), which included members of the government and civil society, met on a quarterly basis. The AHTAC continued implementation of the 2015-2020 national action plan. The government promulgated the Child and Welfare Act in 2017 to strengthen the Solomon Islands penal code, providing protection for children against sexual and trafficking crimes. As a result of increased monitoring by the authorities, logging companies reportedly changed their recruitment policy to increase compliance with foreign employment recruitment laws. The government targeted specific communities for public awareness last year. The government investigated a report of child sex trafficking at one of the logging camps in Temotu Province and met with the local community in the province to conduct public awareness sessions on sex trafficking. The government did not report taking action to reduce the demand for commercial sex acts or forced labor. The government did not provide anti-trafficking training for its diplomatic personnel. The Solomon Islands was not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

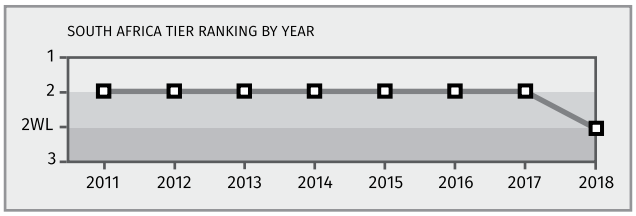
As reported over the past five years, the Solomon Islands is a source, transit, and destination country for local and Southeast Asian men and women subjected to forced labor and forced prostitution, and local children subjected to sex and labor trafficking. Women from China, Indonesia, Malaysia, and the Philippines pay large recruitment fees for jobs and upon arrival are forced into prostitution. Men from Indonesia and Malaysia, recruited to work in logging and mining industries, are subjected to forced labor.

Fishermen from Indonesia, the Philippines, Vietnam, Sri Lanka, the Democratic People's Republic of Korea, and Fiji have reported situations indicative of labor trafficking, including non-payment of wages, severe living conditions, violence, and limited food supply on Taiwan-flagged fishing vessels in the Solomon Islands' territorial waters and ports.

Traffickers subject Solomon Island children to sex trafficking and forced labor within the country, sometimes in exchange for money or goods, particularly near foreign logging camps, on foreign and local commercial fishing vessels, and at hotels and entertainment establishments. Girls and young women are recruited for domestic work and some are subsequently exploited in prostitution at the logging camps. Some parents receive payments for sending young women and girls into forced marriages with foreign workers at logging and mining companies; many of them are exploited in domestic servitude or prostitution. To pay off debts, families may offer their children for "informal adoption," and the adopted family or guardians subject them to forced labor or sexual servitude. Traffickers at logging camps force young males to work as domestic servants and cooks.

SOUTH AFRICA: TIER 2 WATCH LIST

The Government of South Africa does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by investigating 82 potential trafficking cases, prosecuting 23 potential traffickers, and convicting eight traffickers, two under the Prevention and Combating of Trafficking in Persons Act (PACOTIP). The government also arrested several low level officials for complicity in cross-border trafficking. The South Africa Police Service (SAPS) finalized standard operating procedures (SOPs) for implementation of PACOTIP and the government trained front-line responders on its provisions. The government identified significantly more victims over the previous reporting period and referred them to care, upgrading 12 of 14 shelters to provide comprehensive psycho-social assistance to victims. The government also conducted numerous public awareness raising activities. However, the government did not demonstrate increasing efforts overall compared to the previous reporting period. Although the government convicted eight traffickers, four received suspended sentences, which were inadequate compared to the seriousness of the crime. Official complicity and allegations of official complicity affected the government's prosecution, protection, and prevention efforts and there were significant concerns for victim protection. The implementing regulations for PACOTIP's immigration provisions have not been promulgated since its enactment in 2013, and officials lacked adequate training on identification measures, which occasionally led the government to arrest, detain, and deport victims. The government sometimes denied foreign nationals protective services, especially if they chose not to participate in an investigation. For the second consecutive year, the government's lack of sufficient funding for anti-trafficking efforts prevented front-line responders from fully implementing the anti-trafficking law. Therefore South Africa was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR SOUTH AFRICA

Investigate and prosecute officials suspected of complicity in trafficking crimes; promulgate the immigration provisions in sections 15, 16, and 31(2)(b)(ii) of PACOTIP and cease efforts to deny access to immigration relief, including the asylum process, on the basis of trafficking victimization; fund and increase efforts to fully implement PACOTIP and related regulations; increase efforts and resources to identify trafficking victims, including to screen for trafficking indicators among vulnerable populations, including potential deportees and women in prostitution, and continue to train law enforcement and social service officials on these provisions and victim identification measures; amend anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; increase efforts to investigate, prosecute, and convict traffickers, including employers who use forced labor, under PACOTIP; ensure victims are issued the appropriate immigration identification documents in order to receive protective services; train law enforcement and social service providers to use a victim-centered approach when interacting with potential victims and recognize initial consent is irrelevant; establish a translator database to expand the capacity to seek justice for foreign trafficking victims; replicate the coordinated anti-trafficking law enforcement and victim referral mechanisms of KwaZulu-Natal (KZN) and Western Cape in all provinces; extend the availability of drug rehabilitation services to trafficking victims; certify or establish additional shelters for male victims; provide anti-trafficking training for diplomatic personnel and troops deployed abroad; and institute formal procedures to compile national statistics on traffickers prosecuted and victims assisted.

PROSECUTION

The government maintained uneven and inadequate prosecution efforts. Official complicity in trafficking crimes remained a concern. The PACOTIP of 2013 criminalized sex and labor trafficking and prescribed penalties of up to life imprisonment, a fine of up to 100 million South African rand ($8.1 million), or both. The penalties were sufficiently stringent; however, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the prescribed punishment was not commensurate with those for other serious crimes, such as rape. The implementing regulations for PACOTIP's immigration provisions found in sections 15, 16, and 31(2)(b)(ii) have not been promulgated. The Sexual Offenses Act (SOA) also criminalized the sex trafficking of children and adults and prescribed penalties of up to 20 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. The Basic Conditions of Employment Act of 1997 (BCEA), amended in 2014, criminalized forced labor and prescribed maximum penalties of three to six years imprisonment. In addition, the Children's Amendment Act of 2005 prescribed penalties of five years to life imprisonment or fines for the use, procurement, or offer of a child for slavery, commercial sexual exploitation, or to commit crimes. Where relevant, prosecutors sometimes relied on the Prevention of Organized Crime Act of 1998 in combination with SOA, which added additional charges—such as money laundering, racketeering, and criminal gang activity—and increased penalties of convicted defendants.

The Department of Priority Crime Investigation reported it investigated 82 potential trafficking cases and collaborated closely with the National Prosecuting Authority (NPA) to compile evidence and build cases. The government initiated prosecutions of 23 cases compared to six cases in the previous year, and it obtained convictions of eight traffickers, compared to 11 traffickers convicted in 2016. The government sentenced two traffickers to terms of imprisonment; one trafficker received two consecutive life sentences and the other trafficker received 25 years imprisonment. The government convicted six additional traffickers, four of whom received suspended sentences; one case was withdrawn due to the suspect's death, and one case was overturned on appeal and resulted in an acquittal. The government did not report action on pending prosecutions from previous years, some of which have been pending for multiple years. The government has made little progress in prosecution of traffickers connected to international syndicates involving Nigerian, Thai, Chinese, Russian, or Bulgarian traffickers, who dominate the commercial sex industry in several South African cities; NGOs reported police officers received bribes from crime syndicates. The government

did not sufficiently fund agencies responsible for implementing the PACOTIP, leading to uneven enforcement of the law. NGOs reported local police stations often declined to investigate trafficking cases, even when NGOs provided case information, because of inadequate resources and training on PACOTIP. A lack of awareness of PACOTIP among law enforcement officers remained a significant barrier to its implementation; for example, in one training session, a law enforcement officer denied the existence of PACOTIP. However, SAPS did finalize SOPs for the implementation of PACOTIP for the first time.

The government arrested several border guards complicit in assisting smugglers and traffickers to pass through South Africa's borders, but did not prosecute or convict any complicit officials. There were allegations for the second consecutive year that officials within Department of Home Affairs (DHA) produced fraudulent birth certificates, passports, and other identification documents that facilitated trafficking crimes. NGOs reported some police officers solicited commercial sex acts from victims. Immigration officials, private security companies, and airline officials may have been involved in facilitating trafficking operations at international airports.

Although the majority of trafficking victims in South Africa are labor trafficking victims, the government did not comprehensively monitor or investigate forced child labor or the labor trafficking of adults in the agricultural, mining, construction, and fishing sectors. Department of Labor (DOL) inspectors continued to use administrative provisions within the BCEA as their core enforcement mechanism and rarely referred cases for criminal investigation. Although NGOs reported a lack of training across all agencies hindered the government's anti-trafficking efforts as a whole, the government conducted various trainings during the reporting period. In coordination with an international organization, the Department of Justice (DOJ) and NPA conducted two workshops for criminal justice practitioners on trafficking in persons. Department of Social Development (DSD) conducted a training for DHA on victim identification, and reporting and referral mechanisms. DSD also trained 198 social workers, five SAPS officers, three DHA officials, and a DOL representative throughout six training workshops on child exploitation and the roles and responsibilities of stakeholders in the implementation of PACOTIP. The NPA conducted four anti-trafficking training sessions for 53 prosecutors, covering PACOTIP, other relevant legislation used to try trafficking crimes, prosecutorial approaches, and trafficking case law. DOJ convened a two-day workshop at which representatives from all relevant agencies for every province came together to learn from South African and international anti-trafficking experts. Eighty high-level, empowered, passionate officials learned about best practices and protocols for fighting trafficking, from front-line responders to prosecutors.

PROTECTION

The government had mixed protection efforts. The government identified 399 victims and referred them to care, compared to 220 victims in 2016. In six cases, the government's response was cause for concern; four victims reportedly disappeared, one was reported missing from the police station and may have been returned to her traffickers, and the government incarcerated the sixth victim for holding a fraudulent visa. Of the 399 victims identified, 305 were victims of forced labor, 66 were victims of sex trafficking, 19 were exploited in domestic servitude. The overwhelming majority of victims were from South Africa; other victims were from Thailand, Lesotho, Ethiopia, Mozambique, Ghana, Nigeria, Eswatini, Bulgaria, and Tanzania. A lack of adequate funding resulted in a lack of training on victim identification, which led to unlawful arrests and detentions of trafficking victims during the reporting period. A government-wide lack of funding for anti-trafficking efforts led to front-line responders occasionally denying cases of trafficking to avoid assuming responsibility for costs of protective service provision. In some cases, victims did not receive protective services for more than two months after a referral was made. This waiting time was tripled in the case of male labor trafficking victims who waited at least six months for care and, when it was ultimately delivered, it was only as a result of an NGO assuming responsibility.

The government continued oversight of and partial funding for 14 accredited NGO-run multipurpose shelters and continued to oversee 17 NGO-run safe houses designed to temporarily shelter victims before transfer to an accredited shelter. The government provided a stipend on a per-person, per-night basis to the safe houses. There was only one shelter, in Gauteng, that could provide care for male trafficking victims. DSD trained 58 officials who comprised site verification teams responsible for formally accrediting shelters that provided protective services for victims. In coordination with an international organization, DSD conducted an assessment of all 14 DSD-accredited shelters; 12 were upgraded to the minimum standards to provide comprehensive psycho-social assistance to victims. The government provided shelters accessible to persons with disabilities that provided limited services for victims with disabilities; however, it is unclear if any victims received these services during the reporting period. Some government-run shelters refused to receive trafficking victims due to security, drug addiction, or cultural concerns.

DSD ran a nine-week rehabilitation program to address the psycho-social well-being of victims and paid for victims to receive residential treatment at rehabilitation centers for overcoming drug addiction. Not all provinces had such centers and it is unclear how many victims participated in the rehabilitation program during the reporting period. The government operated a network of 55 Thuthuzela Care Centers (TCCs)—full service crisis centers to assist victims of rape and sexual violence, including potential trafficking victims; it is unknown if TCCs assisted any victims of trafficking during the reporting period. Per DSD policy, staff prevented both adults and children from leaving shelters unaccompanied. Rapid-response teams comprised of government agencies and NGOs in Gauteng, Mpumalanga, Western Cape, and KZN continued to coordinate protective services, including shelter, for victims. DSD, which is responsible for designating and certifying trafficking victim status, continued to accept victims from law enforcement and coordinate their placement in registered shelters.

SAPS, DSD, NPA, DHA, and DOJ had shared formal procedures to identify and refer trafficking victims to care, in accordance with PACOTIP. Implementation of these procedures varied by department and province; not all officials were aware of referral procedures. SAPS was criticized for not identifying victims. Furthermore, the government occasionally denied foreign nationals protective services, especially if they chose not to participate in an investigation. NGOs reported that front-line officials responsible for receiving referrals were often unreachable and that DSD and SAPS were sometimes not informed of their responsibilities to certify and refer victims, a necessary step before victims could receive care of any kind. Furthermore, some SAPS officers regularly failed to follow referral guidelines. Some officials had difficulty

identifying labor trafficking victims and differentiating between trafficking and smuggling crimes. SAPS did not always screen women and LGBTI persons in prostitution for trafficking indicators; officials sometimes charged them with prostitution and other violations. LGBTI persons, particularly transgendered persons, were especially vulnerable to trafficking due to social stigmatization; however, there was one shelter dedicated solely for victims from the LGBTI community, in the Western Cape. There were multiple reports that victims and potential victims were detained or incarcerated during the reporting period. Male labor trafficking victims remained largely unidentified and were frequently detained, deported, jailed, or fined. One Zimbabwean child trafficking victim who was exploited in forced labor was not given a court appearance for three months until he turned 18, at which point he was detained as an illegal immigrant and handed over to DHA for deportation. In another case, one NGO reported that three potential child victims were identified at a notoriously corrupt border crossing and subsequently detained; no assessment was conducted to determine whether they had endured trafficking or would qualify for asylum. One NGO continued its collaboration with DHA to screen and identify potential trafficking victims prior to deportation. Through this initiative, DHA and the NGO conducted more than 100 screenings and referred an unknown number of victims to care.

Officials encouraged victims to participate in the investigation and prosecution of traffickers and the government provided security and long-term care for an unknown number of victims who did so during the reporting period. However, some hurdles inhibited progress in providing justice and protection for victims. A lack of language interpretation continued to impede the investigation of trafficking cases, prosecution of suspected offenders, and screening of victims. PACOTIP provides trafficking victims relief from deportation; however, regulations to implement this provision were not promulgated. As a result, unless foreign victims actively participated in law enforcement investigations and law enforcement petitioned DHA on their behalf, victims faced the possibility of deportation. DHA often required foreign nationals to renew their immigration paperwork every 30 days, which placed an unnecessary financial and logistical burden on the NGOs providing care for victims. NGOs reported that in some cases DHA doubted trafficking victimization and used this as justification to deny access to immigration documentation and the asylum process. In instances where DHA denied such access, it did not always carry out substantive follow-up to determine if trafficking crimes had been committed, nor did it always coordinate with the appropriate front-line responders to identify potential trafficking victims. Sometimes foreign victims lacking appropriate documentation or residency status were not allowed to study or work for the duration of an investigation or court proceeding, thus sometimes limiting foreign victims' willingness to testify in court. Foreign national victims did not always have the same access to health care as South African victims. DSD policy required evidence of force, fraud, or coercion immediately after victims' rescue and their classification as victims of trafficking to facilitate placement in facilities. There was an insufficient number of psychologists trained on human trafficking who could provide expert testimony in court.

PREVENTION

The government made inadequate efforts to prevent trafficking. NPA and DOJ oversaw a national task team and six provincial task teams, which met quarterly to discuss counter-trafficking efforts and worked collaboratively to address challenges. The government conducted national awareness-raising activities during the reporting period. In November, DSD organized marches in multiple provinces at the beginning of its 16 Days Against Sexual and Gender-Based Violence campaign, which included anti-trafficking messages. In partnership with civil society, SAPS organized an anti-trafficking awareness campaign in Mpumalanga province. KZN and Western Cape provincial task teams used an interagency protocol to guide law enforcement interactions with women in prostitution; however, other task teams ceased meeting or functioning altogether. However, a lack of a well-funded, full-time anti-trafficking coordination team within the government limited the effectiveness of these task teams.

The government made efforts to reduce demand for commercial sex. The Cape Town Metro Police Department operated a vice squad that arrested an unknown number of individuals soliciting commercial sex. The government did not provide anti-trafficking training to its peacekeepers prior to their deployment abroad on international peacekeeping missions. In coordination with an international organization, the government provided anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

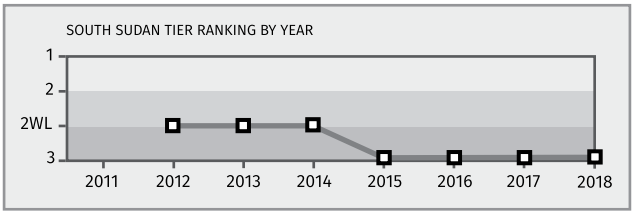
As reported over the past five years, South Africa is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. South African children were recruited from poor, rural areas to urban centers, such as Johannesburg, Cape Town, Durban, and Bloemfontein, where girls were subjected to sex trafficking and domestic servitude and boys are forced to work in street vending, food service, begging, criminal activities, and agriculture. Many children, including those with disabilities, were exploited in forced begging. A non-consensual and illegal form of *ukuthwala*, a traditional faux-abduction of women for marriage, was practiced in some remote villages in Eastern Cape province. Local criminal rings organized child sex trafficking, Russian and Bulgarian crime syndicates facilitated trafficking within the Cape Town commercial sex industry, and Thai and Chinese nationals often organized the sex trafficking of Asian men and women. Nigerian syndicates dominated the commercial sex industry in several provinces. To a lesser extent, syndicates recruited South African women to Europe and Asia, where some are forced into prostitution, domestic servitude, or drug smuggling. Law enforcement reported that traffickers employed forced drug use to coerce sex trafficking victims.

Thai and Chinese women remained the largest group of identified foreign victims. Women and girls from Brazil, Eastern Europe, Asia, and neighboring African countries are recruited for work in South Africa, where some are subjected to sex trafficking, domestic servitude, or forced labor in the service sector, or transported to Europe for similar purposes. An NGO in Western Cape province reported an increased number of Nigerian sex trafficking victims, many coerced through voodoo rituals, and more Nigerians in domestic servitude. Central African women are reportedly subjected to forced labor in hair salons. Foreign and South African LGBTI persons are subjected to sex trafficking. Foreign male forced labor victims have been identified aboard fishing vessels in South Africa's territorial waters; NGOs estimated 10 to 15 victims of labor trafficking disembark each month in Cape Town. Young men and boys from neighboring countries migrate to South Africa for farm work; some are subjected to forced labor and subsequently

arrested and deported as illegal immigrants. Forced labor is reportedly used in fruit and vegetable farms across South Africa and vineyards in Western Cape province. Pakistanis and Bangladeshis are subjected to bonded labor in businesses owned by their co-nationals. Official complicity—including by police—in trafficking crimes remained a serious concern. Some well-known brothels previously identified as locations of sex trafficking continued to operate with officials' tacit approval.

SOUTH SUDAN: TIER 3

The Government of the Republic of South Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore South Sudan remained on Tier 3. Despite the lack of significant effort, the government took some steps to address trafficking, including cooperating with the National Disarmament, Demobilization and Reintegration Commission (NDDRC) and an international organization to release 311 child soldiers, and passing the 2017 Labor Law, which reportedly will expand the forms of trafficking criminalized in the country. However, the government continued to unlawfully recruit and use child soldiers, at times by force; did not fully implement its existing action plan to demobilize child soldiers; and did not hold any members of the Sudan People's Liberation Army (SPLA) criminally accountable for these unlawful acts. Authorities did not report any investigations or prosecutions of forced labor or sex trafficking crimes and officials generally lacked understanding of existing laws prohibiting human trafficking. The government made negligible efforts to protect trafficking victims and continued to indiscriminately arrest and imprison individuals for prostitution violations, including child sex trafficking victims, without screening for indicators of trafficking.



RECOMMENDATIONS FOR SOUTH SUDAN

Cease all unlawful recruitment and use of children younger than 18 years of age by the SPLA and its associated militias; pursuant to article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, immediately release child soldiers under the command or influence of the SPLA and affiliated militias and, in partnership with international organizations, transfer them to appropriate civilian rehabilitation and reintegration programs; use the 2008 Child Act to investigate, prosecute, and convict military officials allegedly complicit in the recruitment, use, and sexual exploitation of children; investigate and prosecute suspected trafficking offenses, and convict and punish traffickers, including complicit government officials; provide financial support to the SPLA's Directorate of Child Protection to facilitate efforts to identify perpetrators and refer cases to civilian courts; establish and implement procedures to prevent penalization of trafficking victims for crimes committed as a direct result of being subjected to trafficking; train law enforcement and judicial officials to recognize trafficking victims, particularly among vulnerable groups such as children, individuals in prostitution, and internally displaced persons; develop an inventory of service providers and train government officials on procedures to refer victims to these entities to receive care; conduct a public awareness campaign to educate the public on all forms of human trafficking; develop and implement a national anti-trafficking strategy that incorporates government ministries, law enforcement, NGOs, and civil society actors; improve data collection efforts; pass a civil registry bill to provide a framework for the government to register births, adoptions, name changes, marriages, and deaths in South Sudan; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government continued negligible anti-trafficking law enforcement efforts. The 2008 penal code and 2008 Child Act criminalized some forms of labor and sex trafficking. Article 277 of the penal code prohibited forced labor and prescribed a penalty of up to two years imprisonment, or a fine, or both; these penalties were not sufficiently stringent. However, Articles 278 and 279 increased the penalties for forced labor when the offense involved kidnapping, abduction, or the transfer of control over a person to up to seven years imprisonment, or a fine, or both. Article 276 criminalized buying or selling a child for the purpose of prostitution and prescribed a punishment of up to 14 years imprisonment and a fine, which was sufficiently stringent and commensurate with punishment prescribed for other serious crimes, such as rape. Articles 254 and 258 criminalized the procurement of a child for prostitution and the facilitation of the prostitution of a child by the child's parent or guardian and prescribed penalties of up to 10 years imprisonment and a fine; these penalties were also sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The criminal code did not explicitly criminalize adult sex trafficking. Article 282 prohibited and prescribed a sufficiently stringent punishment of up to seven years imprisonment for the sale of a person across international borders. Articles 31 and 32 of South Sudan's 2008 Child Act prohibited the recruitment and use of children for military or paramilitary activities, and prescribed punishments of up to 10 years imprisonment for such crimes. In October 2017, the government adopted the Labor Act of 2017, which prohibited forced labor and prescribed penalties of up to five years imprisonment, a fine, confiscation of property, cancellation of a business license, or closure of business, or a combination of these penalties; these penalties were sufficiently stringent.

The government did not report any investigations, prosecutions, or convictions for trafficking crimes. Despite the ongoing unlawful recruitment and use of child soldiers by the SPLA and its allied militias, the government has never held an offender criminally or administratively accountable for such crimes. Lack of capacity throughout the justice sector impeded law enforcement efforts. Courts lacked lawyers, judges, and defense attorneys knowledgeable of trafficking issues and laws, and resources to investigate and prosecute most crimes, including human trafficking, were scant. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns and impeded law enforcement action during the year.

PROTECTION

The government increased efforts to protect victims. The government cooperated with the NDDRC and an international organization to release 311 child soldiers—the first such release

since 2015; however, government forces continued to recruit and use child soldiers. Lacking a formal mechanism to identify potential victims, security forces continued to indiscriminately arrest individuals in prostitution without screening, including child sex trafficking victims and others who may have been victims. The Ministry of Women, Child, and Social Welfare ran a transition center in Yambio with support from an international organization. The center provided interim care and support to children and mothers rescued from violent extremist organizations, including potential trafficking victims. There were no specialized services available for trafficking victims.

Social stigma and fear of punitive law enforcement actions discouraged victims—particularly those subjected to sex trafficking—from communicating with law enforcement authorities. There were no laws or policies to protect victims from prosecution for crimes committed as a direct result of being subjected to trafficking. The government did not provide legal alternatives to the removal of foreign victims to countries where they would face hardship or retribution; nor did it otherwise encourage victims to assist in the investigation and prosecution of trafficking crimes.

PREVENTION

The government continued negligible efforts to prevent trafficking. The National Aliens Committee—tasked in 2015 to address trafficking issues in the country—met three times during the reporting period, but did not undertake any notable anti-trafficking efforts. The government did not have a national action plan to combat trafficking and trafficking awareness remained low among government officials and the public. Although senior SPLA representatives acknowledged the military's recruitment of children into its ranks, forces continued to actively recruit child soldiers, at times by force, and did not implement its existing action plan to demobilize currently identified child soldiers. Formal enlistment procedures required an age assessment (many South Sudanese people do not have birth certificates); however, implementation was lacking due to poor command and control and ongoing conflict throughout the country. The government continued its annual campaign against sexual exploitation, designed to raise awareness among vulnerable groups and how to identify, prevent, and report gender-based violence crimes, including trafficking. Authorities failed to make efforts to prevent or address the labor exploitation of South Sudanese nationals working abroad or foreign nationals within South Sudan. The government made no discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel. South Sudan is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

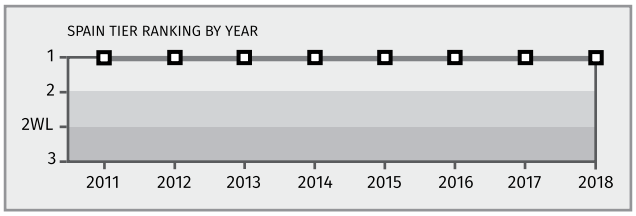
As reported over the past five years, South Sudan is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country. Some of these women and girls are sexually abused by male occupants of the household or forced to engage in commercial sex acts. South Sudanese girls are subjected to sex trafficking in restaurants, hotels, and brothels in urban centers—at times with the involvement of corrupt law enforcement officials. Children working in construction, market vending, shoe shining, car washing, rock breaking, brick making, delivery cart pulling, gold mining, and begging may be victims of forced labor. Girls are forced into marriages, at times as compensation for inter-ethnic killings; some may be subsequently subjected to sexual slavery or domestic servitude. South Sudanese and foreign business owners recruit men and women from neighboring countries—especially Eritrea, Ethiopia, Kenya, Uganda, and Somalia—as well as South Sudanese women and children, with fraudulent offers of employment opportunities in hotels, restaurants, and construction; many are forced to work for little or no pay or are subjected to sex trafficking. Some traffickers operate in organized networks within the country and across borders.

Violent conflict continued throughout the year, increasing the number of internally displaced persons to 1.9 million and the number of refugees in neighboring states to nearly 2.43 million as of January 2018. These groups, including orphaned children, are at increased risk of trafficking and other forms of exploitation. Unaccompanied minors in camps for refugees or internally displaced persons are particularly vulnerable to abduction for sex or labor trafficking. Inter-ethnic abductions, as well as abductions by external criminal elements, continue between some communities in South Sudan, especially in legacy Jonglei, Unity, and Upper Nile states. Traffickers subject abductees to forced labor or sex trafficking. An international organization estimated government and opposition-affiliated forces have recruited more than 19,000 child soldiers since the start of the conflict in 2013, and recruitment continues. The use of children in armed forces remains widespread and is on the rise for the fourth consecutive year. Government forces use children to fight and perpetrate violence against other children and civilians, or to serve as scouts, escorts, cooks, and cleaners, or to carry heavy loads while on the move. According to the Agreement on the Resolution of the Conflict in South Sudan, signed by the warring parties in August 2015, SPLA and the SPLA in Opposition (SPLA-IO) committed to the immediate and unconditional release of child soldiers under their command or influence, to be carried out by international organizations. However, throughout the reporting period both groups continued to retain, recruit, and use child soldiers, including on the front-line, and evidence persists of the re-recruitment of numerous children. The majority of cases of recruitment and use of child soldiers were documented in Unity State, and over half of all verified cases are reportedly perpetrated by the SPLA. Child soldiers are also present within groups affiliated with the opposition; international observers verified instances in several of the country's legacy states, including Western Equatoria, Upper Nile, Jonglei, Warrap, Central Equatoria, and Northern Bahr el Ghazal. During the reporting period, international observers noted an increase in the reported use of girls in both governmental and non-governmental opposition armed groups.

SPAIN: TIER 1

The Government of Spain fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Spain remained on Tier 1. The government demonstrated serious and sustained efforts through increased prosecutions and convictions of traffickers, extensive cooperation with multinational law enforcement efforts, and expanding anti-trafficking training to judges. Authorities improved victim identification within the national health care sector and bolstered regional governments' resources to

coordinate assistance. Although the government meets the minimum standards, it initiated fewer investigations, did not effectively implement victim protection laws during criminal trials, and lacked adequate resources for government-run victim service centers.



RECOMMENDATIONS FOR SPAIN

Increase investigations, prosecutions and convictions of trafficking offenses, particularly for forced labor; increase training on proactive victim identification, in particular among women in prostitution, irregular migrants, unaccompanied minors, and workers in industries and agricultural regions with high incidences of labor exploitation; extend protections for all victims under the 2015 Law of the Statute of Victims of Crime, including through increased training for judges; increase witness protection resources available to victims; increase resources to victim service centers; increase efforts to reduce demand for forced labor, including in supply chains and government procurement; train all prosecutors and judges on a victim-centered approach to law enforcement; standardize protocols for child victim identification and care; re-issue a new national plan, adding benchmarks and indicators of progress; and provide victims with access to compensation, including from assets seized from traffickers.

PROSECUTION

The government maintained law enforcement efforts. Article 177 bis of the criminal code criminalized sex and labor trafficking, prescribing penalties from five to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other serious crimes, such as rape. The Office of the Prosecutor initiated 135 new investigations in 2017, compared to 272 cases in 2016 and 344 cases in 2015. The prosecutor's office stated fewer investigations were initiated due to the government's new focus on organized criminal organizations, rather than individual traffickers. For example, in March 2018, the national police arrested 155 suspects after a three-year investigation of a Chinese-led international trafficking organization. The government initiated prosecutions of 67 defendants (60 for sex trafficking and seven for labor trafficking) in 2017, compared with 54 in 2016 (37 and 17, respectively). Courts convicted 28 traffickers in 2017, of which 26 were for sex trafficking and two for labor trafficking, compared with 24 convictions (22 for sex trafficking and two for labor trafficking) in 2016.

The government reported several cases in which convicted traffickers received significant penalties. In January 2017 the Barcelona provincial court sentenced eight traffickers to one to five years in prison and ordered them to pay each of their five victims €8,000 ($9,600). In February 2017 the Madrid provincial court sentenced three traffickers to seven years and eight months in prison and ordered them to pay €60,000 ($72,030) to their victim. In March 2017, the Madrid provincial court sentenced five traffickers to prison terms ranging from five years and one month to 13 years and one month and ordered them to pay €75,000 ($90,040) in total to their victims. In July 2017, the Barcelona provincial court sentenced two sex traffickers to five and six years in prison, respectively, and ordered them to pay €6,000 ($7,200) in total to the victims. In 2017, all convicted traffickers received prison sentences more than one year. Traffickers served an average of 75 percent of their sentence before being eligible for parole, and courts may impose separate sentences on multiple criminal offenses.

The national police trafficking brigade consisted of 120 investigators and, together with the civil guard, conducted 610 operations related to sex trafficking and 339 related to forced labor (510 and 401, respectively, in 2016). Authorities increased already strong collaboration with transnational investigations; several major operations were conducted during the reporting period. In March 2018, in a collaborative operation involving Spanish, Nigerian, and British authorities, the civil guard arrested 89 members of a criminal network and secured the release of 39 Nigerian victims of forced prostitution. Also in March, the national police, working together with security forces from Albania, EUROPOL, and U.S. law enforcement, dismantled a major human trafficking network centered in Albania. Security forces detained 39 people accused of trafficking more than 7,000 individuals from Albania to North America. The government provided anti-trafficking training for new police officers, consular and immigration officials, and, for the first time, judges. Specialized trafficking prosecutors maintained liaisons with the police. The government did not report any new investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

PROTECTION

The government increased protection efforts. Authorities reported identifying 173 victims (114 of sex trafficking and 59 of labor trafficking) in the first eight months of 2017, compared with 85 victims (73 of sex trafficking and 12 of labor trafficking) in the first six months of 2016. Authorities also identified 308 victims of sexual exploitation and 235 victims of labor exploitation, some of whom may be trafficking victims; an increase from 274 and 207 in 2016, respectively. Since 2013, the government has used a victim identification protocol developed with NGO input. NGOs reported good cooperation with law enforcement in the identification and referral of victims for assistance, including NGO participation in inspections of brothels and at locations where victims may have been present. The Intelligence Center against Terrorism and Organized Crime provided victim identification training to national police and civil guard personnel working at ports of entry. Government and civil society reported an increase in port-of-entry victim identification as a direct result from the training. In December 2017, the Ministry of Health, Social Services, and Equality (MSSSI) distributed standardized EU victim identification guidance to public health workers and NGOs and drafted a report on the actions for identification and care of child victims. Civil society reported the need to standardize protocols for child victims across the whole of government.

The government allocated €3.5 million ($4.2 million), plus an unspecified amount from regional governments, for the protection and support of trafficking victims, including €2 million ($2.4 million) for NGOs providing temporary shelter and access to legal, medical, and psychological services. The government, through victim service offices, provided free health care, legal assistance, social welfare benefits, and funds for repatriation to victims, and also referred victims to an NGO network running facilities, which received funding from national

and local governments. Government and civil society reported victim service centers were generally overburdened and needed additional training and resources to provide trafficking victims with the assistance prescribed by law. There were specialized centers for child victims of crime and seven trafficking shelters—all NGO-run—to assist child victims. Two multipurpose NGO-run shelters were available for adult male victims. The MSSSI, collaborating with NGOs, continued to update and use a victim resource guide, available in 12 languages, which listed by region 44 NGOs providing services, 82 shelters for victims and their children, and 143 centers that provide services without lodging, including social, psychological, medical, legal, training, housing, and job search tools.

In 2015, the government enacted laws providing additional protections to sex trafficking victims, including more time to appeal the dismissal of cases against alleged traffickers; the ability to appeal decisions made by court officials regarding terms of incarceration, parole, and release; as well as requiring that victims receive updates on the status of cases. The government had not yet reported on implementation of these provisions, but civil society reported the laws lacked effective implementation. The government expanded a regional program that assigned NGO-supplied "social interlocutors" (usually survivors of trafficking themselves) to act as a liaison for victims during legal proceedings and court testimony. In March 2017, social interlocutors received a week of training with judges, prosecutors, NGOs, and labor inspectors. Assets seized from convicted defendants supported a fund used to fight or prevent trafficking or to assist victims, although NGOs reported that seized assets were rarely used for victim compensation. NGOs reported inconsistent application of victim protections by judges and called for legal reform to protect witnesses better, including permitting video testimony in all cases and increased resources to the Office of Witness Protection to provide adequate assistance to victims, as fewer victims were willing to testify against criminal networks in cases where the court allowed release of witness names.

Foreign victims could request a renewable residence permit for up to five years based on their cooperation with law enforcement or, in some cases, on the basis of their personal situation without regard to whether they assisted law enforcement. Victims could also receive assistance to return to their country of origin if they were not participating in a criminal prosecution. The government allowed for reflection periods of a minimum of 90 days—time during which victims from outside the EU could recover while deciding whether to assist law enforcement. The government did not report how many victims received this benefit in 2017. Citizens of EU member states, however, were not limited to the 90-day reflection period and faced no deadline for claiming social services or cooperating with authorities.

PREVENTION

The government maintained prevention efforts. The national anti-trafficking working group, operationally led by the Ministry of the Interior, and including the ministries of health, justice, and labor, set goals for fighting trafficking, established quarterly reviews, and facilitated data sharing between law enforcement and other agencies. The government continued to implement the 2015-2018 national plan, which focused on protection of women and girls, identification of and provision of services to victims, and multi-sectoral coordination. The government endowed €104 million ($124.8 million) to implement the plan over its lifespan. In September 2017, congress approved a four-year State Pact against Gender Violence, which included programming to combat trafficking at the regional level. In 2017, the regional governments of Madrid, Valencia, and Navarra increased prevention efforts by signing their own anti-trafficking protocols to reinforce national laws and promote awareness. The three regions joined the regions of Galicia, Catalonia, and Extremadura, which already had protocols in place. The national rapporteur served as an independent body to monitor, evaluate, and coordinate trafficking efforts. The rapporteur held bi-monthly coordination meetings with representatives from government, NGOs, and law enforcement. NGOs lauded the rapporteur for increasing their inclusion into proceedings.

The government continued to conduct public awareness campaigns, including a television series, traditional media, digital media, roundtable discussions, and social media that reached up to two million people, with extensive press coverage. The government and NGOs operated hotlines for reporting suspected trafficking cases. While the government continued efforts to discourage newspapers from publishing classified ads for sexual services offered by individuals engaged in prostitution, of which NGOs estimated 90 percent might be trafficking victims, most major newspapers continued to publish ads. The government monitored victim assistance efforts, shared its assessments on trafficking with domestic and international organizations, and continued to publish data on the numbers of victims, accused traffickers, prosecutions, and convictions. In the first eight months of 2017, labor inspectors conducted 1,892 inspections in places where prostitution occurred, and 4,124 in centers of labor activity, which resulted in 70 reports of trafficking (52 sex trafficking, 18 labor trafficking). The government conducted joint labor inspections with Romanian police agents. The rapporteur reported that forced labor is not clearly defined in the penal code, and has added its legislative reform as an agenda priority. Spanish troops received anti-trafficking training prior to their deployment on international peacekeeping missions.

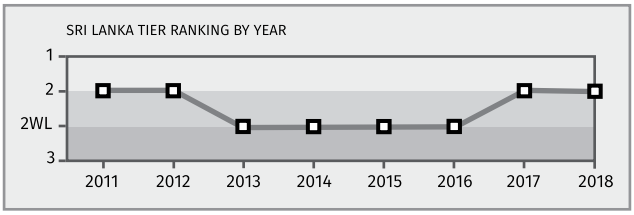
TRAFFICKING PROFILE

As reported over the past five years, Spain is a destination, source, and transit country for men, women, and children subjected to forced labor and sex trafficking. Women from Eastern Europe (particularly Romania and Bulgaria), South America (particularly Venezuela, Paraguay, Brazil, Colombia, and Ecuador), China, and Nigeria are subjected to sex trafficking in Spain. Men and women from South and East Asia, particularly China and Vietnam, are subjected to forced labor in the textile, agricultural, construction, industrial, and service sectors. Prostitution is allowed under certain conditions in Spain, although NGOs believe a large percentage of individuals in prostitution in Spain are trafficking victims. Spain has seen a rise in trafficking through the Western Mediterranean as traffickers shift routes from Libya to Morocco, where victims are moved by sea into southern Spain. Nigerian criminal networks recruit victims in migrant reception centers in Italy for forced prostitution in Spain. Unaccompanied migrant children continue to be vulnerable to sex trafficking and forced begging. The increased numbers of newly arrived refugees and asylum-seekers are vulnerable to trafficking.

SRI LANKA: TIER 2

The Government of Sri Lanka does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated

increasing efforts compared to the previous reporting period; therefore Sri Lanka remained on Tier 2. The government demonstrated increasing efforts by identifying more potential trafficking victims and partnering with an international organization to launch a national awareness campaign and train hundreds of local, district, and state officials and civil society members on victim identification and referral procedures. The government also amended legislation to allow diplomatic missions to record evidence and take statements from victims or witnesses overseas, which resulted in the referral of 29 statements related to alleged human trafficking to the Criminal Investigation Department (CID) for further investigation. However, the government did not meet the minimum standards in several key areas. For the fourth consecutive year, the courts did not convict any traffickers under the government's trafficking statute, although they continued to convict potential trafficking cases under the procurement law for obtaining a person to become a prostitute. Only one person convicted for procurement served prison time; two other convictions were suspended. The capacity of local officials to proactively identify victims was low and observers reported authorities did not make adequate efforts to screen for indicators of human trafficking among individuals arrested or charged for prostitution, vagrancy, or immigration offenses. The government provided no specialized services to male victims and maintained specific requirements for migration of female migrant workers and those migrating for domestic work, which observers stated increased the likelihood women would migrate illegally and therefore heightened their vulnerability to human trafficking. Complicity remained a problem; while the government secured a conviction of one official for preparing forged documents and sentenced him to one year in prison, the government did not initiate any new investigations or prosecutions of allegedly complicit officials during the year.



RECOMMENDATIONS FOR SRI LANKA

While respecting due process, improve efforts to investigate and prosecute suspected traffickers, including complicit officials, and convict and punish offenders with sentences commensurate with other serious crimes; increase efforts to proactively identify trafficking victims and train officials on victim identification and referral procedures, especially to ensure victims are not detained or otherwise penalized for unlawful acts, such as immigration violations or prostitution, committed as a direct result of having been subjected to human trafficking; improve protection services to ensure identified victims, including men and children, receive specialized care services; take steps to eliminate all recruitment fees charged to workers by labor recruiters and instead ensure they are paid by employers; expand the foreign employment bureau's (SLBFE) mandate to include the regulation of sub-agents; promote safe and legal migration and ensure migration regulations do not discriminate on the basis of gender; and increase efforts of the task force to institutionalize sustained government coordination efforts.

PROSECUTION

The government maintained overall law enforcement efforts to address human trafficking. Section 360(C) of the penal code criminalized labor and sex trafficking and prescribed penalties of two to 20 years imprisonment and fines, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious offenses, such as rape. The government also frequently used section 360(A), a procurement statute that criminalized obtaining a person to become a prostitute, with or without the consent of the person, to prosecute sex trafficking cases. Procurement crimes carried lesser penalties of two to 10 years imprisonment and fines, and these cases were often brought before magistrate judges who were generally only authorized to issue sentences of up to two years imprisonment.

During the reporting period, CID and the police initiated 15 trafficking investigations, compared with nine investigations in 2016. Of the 15 investigations, 10 were categorized as possible forced labor cases, four as sex trafficking, and one as selling of a child for exploitation. The government initiated 28 prosecutions during the reporting period, four under section 360(C), which included three sex trafficking cases and one case of selling a child for exploitation, and 24 under the procurement statute. This was compared to 35 prosecutions in the previous reporting period and 12 prosecutions in 2015. For the fourth consecutive year, the courts did not convict any traffickers under section 360(C). Courts did, however, convict three persons under the procurement statute compared with seven persons during the previous reporting period and one person in 2015. Courts suspended two of the three imprisonment sentences; instead of imprisonment, the convicted were ordered to pay fines of 1,500 Sri Lanka rupees (LKR) ($10) and 5,000 LKR ($33), with default sentences of six months imprisonment and one month respectively imposed if the convicted were unable to pay the fines. In addition, the court ordered one of the convicted to pay restitution to the victim of 50,000 LKR ($330). The sentences of fines alone were not sufficiently stringent to deter the crime. The court sentenced one person to five years imprisonment and ordered the convicted to pay a fine of 1,000 LKR ($7) and restitution to the victim of 75,000 LKR ($490). The government's reliance on procurement charges resulted from police not thoroughly investigating potential human trafficking cases for elements of force, fraud, or coercion and difficulty securing evidence from victims. Prosecutors could pursue procurement cases without the cooperation of the victim.

In November 2017, the government amended the Assistance to and Protection of Victims of Crime and Witnesses Act to authorize Sri Lankan diplomatic missions to record evidence and take statements from a victim or witness outside Sri Lanka. The anti-trafficking unit of the SLBFE, created in the previous reporting period, received 38 complaints regarding possible trafficking crimes during the reporting period; of these complaints, 19 were referred from Sri Lankan embassies. The SLBFE referred 12 of these cases to the CID's anti-trafficking unit for further investigation. Separately, Sri Lankan diplomatic missions referred 29 witness and victim affidavits from abroad to CID for investigation. In two cases, CID coordinated with foreign authorities in Cyprus and Thailand on investigations involving Sri Lankan victims.

Official complicity in trafficking offenses remained a problem. Some sub-agents reportedly worked with officials to procure forged or modified documents, or genuine documents with falsified data, to facilitate travel abroad. In the previous reporting period, the Ministry of Foreign Employment (MFE) referred six cases of officials allegedly creating fraudulent documents to the police for further investigation. At the end

of the current reporting period, the government reported one official had been convicted of preparation of forged documents and sentenced to one year imprisonment, with an additional year of imprisonment suspended, and a fine of 125,000 LKR ($810); the other five investigations remained ongoing at the end of the reporting period.

PROTECTION

The government made modest improvements in protection efforts. The government reported identifying 46 potential trafficking victims, an increase compared with 23 potential victims identified in 2016. The government utilized standard operating procedures (SOPs) for the identification and referral of potential victims to protection services and in partnership with an international organization, conducted multiple trainings on victim identification and referral for 875 members of civil society and local, district, and state officials, including health, probation, police, immigration, CID, and National Child Protection Authority (NCPA) officials. However, the government had not issued circulars and directives to relevant agencies to guide staff to follow the SOPs and both the government and members of civil society stated the capacity of local officials to identify trafficking victims was low. Observers reported Sri Lankan authorities jailed and charged individuals, possibly including children, for prostitution, vagrancy, or immigration offenses without adequate efforts to evaluate whether they were victims of trafficking. An NGO reported sex trafficking victims were reluctant to approach law enforcement for help due to perception of police hostility and social stigma associated with being a victim.

The Ministry of Women and Child Affairs continued to operate a shelter for female victims of violence, including trafficking victims, although the shelter did not house any trafficking victims during the reporting period. The government did not have specialized rehabilitation services available for male trafficking victims. The government referred child victims to child-specific rehabilitation centers; however, an NGO reported in the previous reporting period that some children who were not identified as victims and instead arrested for prostitution crimes were held in government detention centers. The government acknowledged the possible arrest and detention of children who may be sex trafficking victims. The government provided training for 100 child probation officers and institutional staff and conducted a survey to identify and refer such victims to rehabilitation services. SLBFE continued to operate 11 short-term shelters for female migrant workers in distress at Sri Lankan diplomatic missions in 10 countries. During the reporting period, the shelters served 2,392 migrant workers; authorities did not report how many were trafficking victims. SLBFE also continued to operate a transit shelter near the Colombo international airport for returning male and female migrant workers who encountered abuse abroad. In 2017, the transit shelter provided medical, counseling, transportation, food, or accommodation, as needed, to 1,692 female and 1,546 male migrant workers, some of whom may have been trafficking victims.

Foreign victims who were officially identified had access to the same rehabilitation services as domestic victims. During the reporting period, the government provided a foreign victim with protection, medical, legal, and translation services. An international organization and NGO provided counseling and shelter and the victim was repatriated with assistance from the government and the international organization. The victim identification SOPs allow foreign victims who cooperate in prosecutions to receive a visa extension until the end of the trial; however, the government did not provide foreign victims with legal alternatives to deportation to countries where they might face hardship or retribution after trial completion or for victims who did not cooperate with prosecution.

PREVENTION

The government increased efforts to prevent trafficking. The inter-ministerial anti-trafficking task force increased its coordination through more frequent meetings; during the reporting period the task force met seven times and a separate project steering sub-committee met seven times on prevention activities. The government continued to implement the national action plan to combat human trafficking. In partnership with an international organization, the government launched a public awareness campaign on five national television channels. The campaign featured a hotline number run by an international organization, which received several calls seeking information and assistance, including from overseas, which were referred to the government for investigation. The government also distributed leaflets, posters, and brochures to local officials, NGOs, and the general public. The NCPA held awareness events on child sex tourism in October 2017 in coastal areas with local officials and schools.

SLBFE maintained its ban on migration of male and female domestic workers younger than age 21 and female domestic workers younger than age 25 to Saudi Arabia and younger than age 23 to other parts of the Middle East. SLBFE also required all female migrant workers below age 45 to submit a "family background report" to ensure the woman did not have children younger than age five. Observers reported any ban on migration increased the likelihood of migrating illegally and therefore heightened the vulnerability to human trafficking. During the reporting period, SLBFE's legal division filed 107 cases against licensed and 50 cases against unlicensed recruiters for fraudulent practices, compared with a total of 315 cases in 2016. SLBFE conducted multiple awareness trainings for recruitment agents and potential migrant workers and in February 2018 SLBFE, CID, and officials from the attorney general's office went to Sri Lankan missions in Oman, Saudi Arabia, and United Arab Emirates (UAE) to train mission staff on combating human trafficking. In February 2018, MFE and the Government of UAE signed a memorandum of understanding to produce increased transparency, monitoring, and compliance with migrant worker recruitment systems; reportedly, only recruitment agencies registered with SLBFE will be able to offer overseas employment to domestic workers. The MFE did not have the legal authority to regulate foreign employment recruitment sub-agents under SLBFE, which officials recognized as a problem contributing to trafficking. MFE partnered with an international organization to study foreign employment recruitment intermediaries and stated the government continued to explore an amendment to the Foreign Employment Act to address the oversight of sub-agents and the investigative authority of MFE officials. The government did not report efforts to reduce the demand for forced labor during the reporting period; however, in an attempt to reduce demand for the domestic sex trade, the government's awareness campaign highlighted the negative social consequences of procuring commercial sex. The government provided anti-trafficking training to military personnel prior to their deployments abroad on international peacekeeping missions. The Ministry of Foreign Affairs initiated training for diplomats and other officials who would be deployed to overseas missions, including SLBFE and defense officers, on prevention and identification of trafficking.

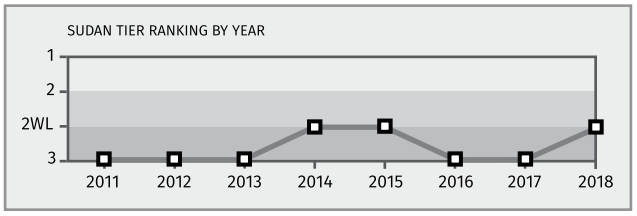
TRAFFICKING PROFILE

As reported over the last five years, Sri Lanka is primarily a source, destination, and, to a lesser extent, a transit country for men, women, and children subjected to forced labor and sex trafficking. Some of the Sri Lankan men, women, and children who migrate to the Middle East, Southeast Asia, and Afghanistan to work in the construction, garment, and domestic service sectors are subjected to forced labor. Before leaving Sri Lanka, many migrant workers go into debt to pay high recruitment fees imposed by unscrupulous labor recruitment agencies—most of them members of Sri Lanka's association of licensed foreign employment agencies—and their unlicensed sub-agents. Migrant laborers, especially women, receive a monetary advance as an incentive to move abroad, only to be trapped in debt bondage upon arrival at their destination. Some recruitment agencies commit fraud by changing the agreed upon job, employer, conditions, or salary after the migrant's arrival. Some Sri Lankan women are subjected to forced prostitution in Cyprus, Maldives, Malaysia, Singapore, Thailand, and elsewhere. Sri Lanka is a transit point for Nepali women subjected to forced labor in the Middle East.

Within the country, women and children are subjected to sex trafficking in brothels. Boys are more likely than girls to be exploited in commercial sex in coastal areas for child sex tourism. Children, individuals with physical deformities, and those from socially vulnerable groups are forced to beg or engage in criminal activity in Sri Lanka's largest cities. Some child domestic workers in Colombo, generally Tamils from the tea estate region, are subjected to physical, sexual, and mental abuse, non-payment of wages, and restrictions of movement—indicators of labor trafficking. In recent years, a small number of women from other Asian and Central Asian countries have been subjected to forced prostitution in Sri Lanka. Police reportedly accept bribes to permit brothels to operate, some of which exploit trafficking victims. Sub-agents collude with officials to procure fake or falsified travel documents to facilitate travel of Sri Lankans abroad.

SUDAN: TIER 2 WATCH LIST

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Sudan was upgraded to Tier 2 Watch List. These achievements included increasing the number of investigations, prosecutions, and arrests of traffickers, including complicit officials; expanding training for law enforcement and judicial officials highlighting the differences between trafficking and migrant smuggling; improving screening processes to prevent government armed forces' recruitment of child soldiers; and identifying more victims through law enforcement operations. Despite these achievements, the government continued to penalize victims for crimes they committed while subjected to trafficking; did not make efforts to address sex trafficking or identify any sex trafficking victims; did not develop standard operating procedures to identify or refer victims to care; did not report providing assistance to any trafficking victims; and reports of official corruption and complicity in trafficking crimes continued.



RECOMMENDATIONS FOR SUDAN

Ensure all government security forces maintain vigilance to prevent the use of child soldiers by government forces; implement the anti-trafficking law to increase prosecutions and convictions of traffickers and complicit officials, including those allegedly responsible for sex trafficking and as distinct from migrant smuggling or kidnapping crimes; increase training for law enforcement officials on distinguishing trafficking from other crimes, and establish procedures for authorities to identify and provide protective services to trafficking victims among vulnerable populations, such as domestic workers, women and children in prostitution, refugees and asylum-seekers, and foreign migrants; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to human trafficking; National Council for Child Welfare (NCCW) drafts standard operating procedures (SOPs) for child soldier reintegration, and implements the SOPs in coordination with government ministries and civil society; regularly convene the National Committee to Combat Trafficking; amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of coercion and define exploitation; allow victims full freedom of movement from government safe houses; increase coordination with NGOs and civil society on victim protection; implement and dedicate adequate resources to the national anti-trafficking action plan; provide adequate protective services for all trafficking victims, regardless of their participation in law enforcement or prosecution efforts, and ensure protective services to victim witnesses; institute regular anti-trafficking training for relevant government officials and Sudanese diplomats posted abroad; develop awareness raising campaigns that address all forms of trafficking, including forced labor and sex trafficking.

PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law criminalized some forms of trafficking, but failed to define what constituted exploitation. Additionally, inconsistent with international standards, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The law prescribed between three and 10 years imprisonment for base offenses involving adult male victims and between five and 20 years imprisonment for offenses involving adult female and child victims or involving additional aggravating circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. Article 14 of the Sudan Armed Forces Act of 2007 criminalized recruiting children younger than 18 years old by members of the armed forces, enslaving civilians, or coercing civilians into prostitution, and prescribed penalties between three years imprisonment and death.

Unlike in previous years, following increased training by the government and international organizations, senior officials and working level law enforcement and judicial officials demonstrated a clearer understanding of the differences between

migrant smuggling and human trafficking, although some conflation of kidnapping, smuggling, and trafficking still existed at the working level. During the reporting period, the government reported investigating 99 total trafficking cases involving 179 suspected traffickers. These cases included several instances of suspected forced labor, but no alleged sex trafficking cases. The government prosecuted 94 of those cases involving 160 suspects, and convicted seven traffickers under the 2014 anti-trafficking law to sentences ranging from three years to death, compared with 450 investigations of potential traffickers during the previous reporting period; however, previous year's reporting likely included cases of migrant smuggling among other crimes. International organizations alleged that some police officers and local officials in Sudan were complicit in trafficking crimes, especially in the east of the country. The government reported prosecuting and convicting two complicit officials—one police officer and one colonel in the Sudan Armed Forces (SAF)—and sentenced the police officer to 10 years in prison under the 2014 anti-trafficking law, compared with no prosecutions or convictions of complicit officials reported during the previous five years. The government also reported convicting six officials for trafficking and sentencing them to between 10 and 15 years imprisonment in a special court in eastern Sudan.

In 2017, the Ministry of Interior funded and launched the Trafficking Unit under the Organized Crime Directorate, and trained 100 detectives across eight states (Kassala, Gedaref, Red Sea, Blue Nile, Khartoum, Gezira, Nile River, and Northern State) on investigation procedures for trafficking cases during the reporting year. In 2017, the government's Judicial and Legal Sciences Institute, in collaboration with the Ministry of Justice, partnered with an international organization to provide four five-day trainings titled "Strengthening the Capacity of the Criminal Justice System in Sudan to Address Human Trafficking" for 83 male and female law enforcement officers, judges, prosecutors, defense lawyers, and social workers across eight of Sudan's 18 states. In August 2017, 20 representatives from the judiciary, Criminal Prosecution Office, Office of the Attorney General, various law enforcement branches, Ministry of Justice, and social workers assisted in the development of the training curriculum in a trainer-of-trainers model to increase their ability to effectively identify and prosecute human trafficking cases using the 2014 Anti-Trafficking law. In October 2017, the Police Training Authority, under the direction of the Ministry of Interior, provided training to law enforcement personnel on victim identification, care, and protection principles, with a focus on victim-centered approaches. Additionally in 2017, in partnership with the African Union and a multilateral organization, the Ministry of Interior launched the Regional Operational Centre on Trafficking (ROCK), which will help facilitate international trafficking investigations between source, transit, and destination countries along commonly used trafficking routes. International donors have pledged support for the ROCK, but have not yet disbursed funding.

PROTECTION

The government increased efforts to identify trafficking victims subjected to forced labor but failed to identify victims of sex trafficking and likely penalized some victims for crimes they may have committed while being subjected to trafficking. Although victim protection remained a substantial gap in the government's anti-trafficking efforts, it took significant steps through the trainings listed in the previous section to increase the capacity of law enforcement and other first responders to proactively identify victims and refer them to care, in partnership with NGOs and international organizations.

In 2017, the government reported identifying 400 potential trafficking victims through the course of law enforcement activities, compared with 142 during the previous year; however, the government did not report referring any victims to care. The government did not have systematic procedures to identify trafficking victims, nor did it consistently use a standard mechanism to refer victims to protective services. The government also lacked a mechanism to screen for trafficking for use by officials engaging with vulnerable populations. As a result, trafficking victims who may have committed unlawful acts as a direct result of being subjected to trafficking were likely detained or deported from Sudan—or prosecuted—without access to protections afforded to them. Vulnerable individuals such as persons in prostitution, migrants, and refugees may not have reported abuses due to fear of retaliation by an employer or arrest by government authorities. Authorities—particularly in eastern Sudan—continued to charge some trafficking victims for immigration violations and held them in custody throughout the duration of court processes, and some victims participating in investigations risked retaliation by traffickers.

During the reporting year, the NCCW and the Ministry for Social Welfare increased efforts to prevent the use of child soldiers within the SAF and its auxiliaries through the implementation of the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict. In 2017, the government strengthened its age assessment and screening processes, established disciplinary procedures for those caught engaging in child recruitment, and increased awareness raising campaigns across the military, down to the unit level. The government also coordinated with international organizations to conduct monitoring and verification visits in eight conflict states and through the headquarters of its paramilitary Rapid Support Forces and facilitated the release of 21 child soldiers from non-governmental armed forces in the Darfur region. The NCCW also reported partnering with international organizations to provide temporary shelter and services to 34 victims of trafficking, and 21 child soldiers. Shortcomings remained in the reintegration process following the release of child soldiers due to coordination challenges within government agencies and between the government and social services. International organizations noted that the lack of a centralized process led child soldiers to be treated as prisoners of war and held in prolonged detention.

The government referred victims to international organizations and civil society who provided shelter, medical care, psycho-social support, translation services, and witness protection to some victims of trafficking; however, the government did not report if any potential trafficking victims stayed or received care in either of two safe houses in Kassala state that an international organization operated with funding from a nongovernment body. Although the government did not report providing support to victims of trafficking in safe houses, NGOs indicated that victims did receive support from at least one safe house during the reporting period. Authorities did not permit victims to leave the shelters unchaperoned. The Domestic Workers Act of 2008 provided a legal framework for employing and registering domestic workers with limited labor rights and protections. The government did not report if any domestic workers were registered and protected under the law during the reporting period. Per the Asylum Act, foreign victims of trafficking identified as in need of international protection by police authorities or the judiciary were directed to the Commission for Refugees (COR) and an international

organization where they had the opportunity to receive refugee status and apply for asylum; the government did not report any individuals pursuing or receiving this benefit during the year.

An international organization reported the government installed video and camera equipment in court houses across the country which allowed victims and witnesses to give testimony in separate rooms to prevent re-traumatization as a result of involvement in criminal proceeding. The government set up a mock trial room with this technology at its training center for prosecutors and judges, the government-funded Judicial and Legal Sciences Institute.

PREVENTION

The government increased efforts to prevent trafficking, but some Sudanese policies may have increased risks of exploitation among vulnerable populations. A 2016 policy required South Sudanese immigrants to register formally within one week of arriving in Sudan. This policy restricted South Sudanese access to legal work and potentially exposed them to exploitative work situations. The government sporadically granted protections—including legal representation and residency—to foreigners who lacked refugee or asylum status, but only registered such applications at original points of entry, which compelled some fleeing persecution in other parts of the country to do so clandestinely.

The National Committee to Combat Trafficking, consisting of 19 government ministries, met three times during the reporting period, drafted and finalized a national action plan with support from an international organization, used multiple media channels to raise awareness of the crime, and in December 2017 met with NGOs to increase coordination on anti-trafficking service provision; however, at the end of the reporting period, the government did not allocate a budget for the national action plan, and only began implementation of its awareness raising programs. The government did not make efforts to reduce the demand for commercial sex acts and forced labor, and did not report providing anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Sudan is a transit, source, and destination country for men, women, and children subjected to forced labor and, to a lesser extent, sex trafficking and child soldiering. For the second consecutive year, traffickers increased their recruitment of male migrants to Sudan for purposes of forced labor or situations indicative of trafficking under false pretenses of employment. Street children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—who beg in the streets, and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services, making them highly vulnerable to trafficking. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by non-governmental armed groups and militias, primarily in Sudan's conflict zones of Darfur, South Kordofan, and Blue Nile. An international organization reported that the non-governmental Sudan Liberation Movement-Minni Minnawi, Sudan Liberation Army-Abdul Wahid, and Sudan Liberation Army-Popular Defense may have recruited and used child soldiers, and verification was ongoing at the end of the reporting period.

Due to regional instability and conflict, Sudan hosts more than 2.9 million people of concern, including refugees, internally displaced persons, and asylum-seekers. These individuals are vulnerable to trafficking due to their lack of economic stability and access to justice. East Sudan hosts over 107,000 refugees, the majority of which are Eritreans. The government's COR partnered with NGOs and international organizations to assist asylum-seekers arriving in three reception areas.

European support for the government's efforts to limit irregular migration routes through Sudan to Europe has forced migration underground and therefore increased the vulnerability of migrants to abuse and exploitation by traffickers, complicit security forces, and criminal networks, primarily in the east of the country. A human rights organization reported that approximately 30,000 Eritrean, Ethiopian, and other African asylum-seekers—a population vulnerable to trafficking due to their economic fragility and lack of access to justice—are temporarily housed in Khartoum waiting to travel to Europe. During the reporting year, Eritreans represented the highest proportion of trafficking victims in Sudan—mainly in the east—due to the consistent flow of refugees and asylum-seekers and their youth demographic. Ethiopian women are particularly vulnerable to domestic servitude in private homes in Khartoum and other urban centers; some Ethiopian women are forced into prostitution in Khartoum and experience debt bondage. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming victims of trafficking. Anecdotal reports indicate Syrian refugees, including children, are observed begging on the streets in Khartoum and are vulnerable to exploitation. Analogous to Syrian nationals, some Yemenis fleeing conflict in their homeland sought asylum in Sudan, and their economic vulnerabilities upon arrival likely motivate their onward migration to Europe. Due to the ongoing conflict in South Sudan, there was an increase in South Sudanese refugees across Sudan, many of whom remained vulnerable to exploitation in Sudan. An international organization continued to document cases of West and Central African nationals—primarily from Niger, Mali, and Chad—who arrived in Sudan via irregular migratory routes and were subsequently vulnerable to trafficking. Anecdotal evidence also suggests that Chinese women working for small-scale Chinese companies, such as restaurants and hotels, may be subjected to forced labor or prostitution.

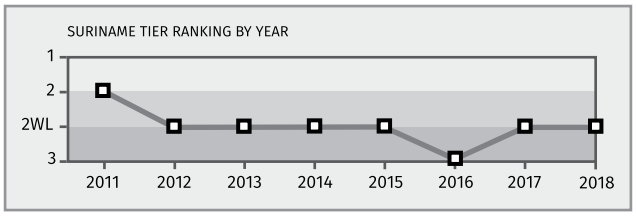
Darfur remained a favored route to Libya, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. The previously defunct Egyptian route is being used again in connection with the migration influx to Europe; Sudanese citizens and other African nationalities are allegedly utilizing this course. In past years, some Sudanese citizens en route to Europe via Egypt were detained in the Sinai Peninsula where they were vulnerable to exploitation. Eritrean nationals are abducted at border crossings, extorted for ransom, and abused by smugglers linked to the Rashaida and Tabo tribes, although other cross-border tribes also take part in trafficking; some of those abducted are forced to perform domestic or manual labor and experience various types of

abuse, indicative of trafficking. Sudanese police and border guards allegedly facilitate the trafficking of Eritrean nationals and allow potential victims to be transported across security checkpoints or international borders without intervention.

Sudanese citizens are subjected to forced labor, domestic servitude, and sex trafficking abroad. Some Sudanese men who voluntarily migrate to the Middle East as low-skilled laborers are subjected to forced labor. The government reported Sudanese children are exploited in forced begging and street vending in Saudi Arabia, especially during the Hajj season. Sudanese criminal gangs deceptively promise Sudanese nationals employment in Libya, but instead sell them to Libyans who subject them to forced labor in agriculture or mining.

SURINAME: TIER 2 WATCH LIST

The Government of Suriname does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by increasing investigations, increasing victim identification efforts in the country's interior, and passing two laws to regulate labor recruiters and prevent trafficking related to criminal or fraudulent recruitment. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Convictions and victims identified decreased, courts imposed weak sentences on convicted traffickers, and no victim referral and protection protocols were developed. Therefore Suriname remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR SURINAME

Vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; develop and implement formal procedures for the referral of identified victims to care; hold public officials complicit in trafficking criminally accountable; conduct targeted labor inspections in risk-prone areas, such as the interior of the country; provide additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims; provide reintegration support for all trafficking victims, and offer specialized processes for assisting foreign victims; increase collaboration with and support of local civil society; and complete and implement a national anti-trafficking action plan.

PROSECUTION

The government decreased prosecution efforts. Article 334 of the criminal code criminalized all forms of trafficking and prescribed penalties of up to nine years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Police reported 10 investigations (seven for sex trafficking, three for labor trafficking), an increase from three in 2016. The prosecutor's office initiated four new prosecutions for sex trafficking involving 11 suspects, compared with four prosecutions involving five suspects initiated in 2016. Prosecutors dropped two of the four cases during the reporting period due to insufficient evidence or a recanted testimony. The government convicted three traffickers, a decrease from five in 2016. Convicted traffickers continued to avoid serious punishment as courts issued weak penalties. The court sentenced two convicted traffickers to 12 months imprisonment with two months suspended and three years probation, and the third trafficker to 16 months imprisonment with nine months suspended and three years probation. In a separate case concluded during the reporting period, the court acquitted all three suspected traffickers. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The 2015 investigation of Alien Affairs Department staff who sold residence permits to Hong Kong criminal networks that allegedly used the documents to exploit Chinese workers in forced labor remained open, with the Ministry of Justice and Police stating they did not expect any results from this investigation.

Police operated a specialized 15-person anti-trafficking unit (ATU) responsible for investigating cases. This unit provided training courses on awareness, identification, and management of trafficking cases for several stakeholders in different regions of the country; it also trained other specialized police units on the links between trafficking and other crimes. All incoming police recruits received basic human trafficking training as part of the police curricula. The acting chief of police signed agreements with counterparts from French Guiana and Guyana to intensify cooperation on combating cross-border crime, including human trafficking. The ATU cooperated with two embassies on investigating two separate suspected cases of trafficking; authorities found one case not to be trafficking, while the second case was still ongoing.

PROTECTION

The government maintained protection efforts. Police identified five victims of sex trafficking and no victims of forced labor, compared with five victims identified in 2016. All five victims received medical assistance, basic services, and the option to use the state-run victim shelter. All five victims opted to return home. The ATU continued oversight of the shelter and services, as NGOs claimed a lack of funding led them to cease their human trafficking work. Two foreign female trafficking victims from prior reporting periods continued to receive services and shelter from the government. The government's inter-departmental working group, responsible for coordinating all anti-trafficking efforts, reached agreement with the Ministry of Social Affairs to add a line item in its budget to finance victim care. The working group reported continued attempts to utilize the state-owned psychiatric hospital for counseling services for trafficking victims.

The ATU assisted military police and immigration officials on identifying and interviewing potential victims, but there were no formal standard operating procedures (SOPs) for victim identification and assistance. In 2017, the ATU continued conducting random checks of international flights approximately three times a week. While brothels were not legal in Suriname, some continued to operate; the ATU performed random inspections of brothels, looking for trafficking indicators. The justice ministry launched a legalization project, aimed to register

persons who entered Suriname legally but whose legal status had expired. The government claims this program serves as a tool to identify populations vulnerable to trafficking, as well as possible perpetrators. Victim identification efforts in the country's interior were limited, but the government secured funding and assistance from an international organization to carry out anti-trafficking operations in the interior and goldmining areas with both police and military forces.

The government did not sponsor any programs to facilitate victims' reintegration, such as a witness-protection program or long-term care. Foreign victims who cooperated with police could remain in Suriname. The government did not have legal alternatives to foreign victims' removal to countries where they would face hardship or retribution, as they could apply to receive work or residency permits on the same basis as any foreign citizen. Victims had the option of pursuing civil suits against their traffickers, but no such cases were reported. Courts implemented a policy of obtaining testimony from victims in the early stages of judicial investigations in case victims were not available during the trial process. The government did not penalize victims for crimes committed as a direct result of being subjected to trafficking.

PREVENTION

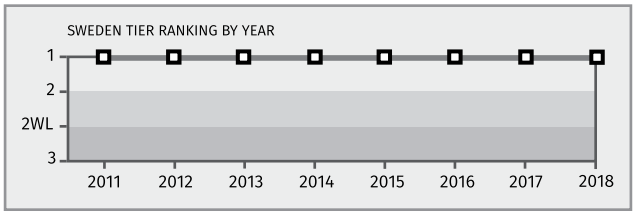
The government maintained prevention efforts. The working group included representatives from seven government agencies and focused on awareness-raising programs, interagency coordination, and developing protocols for victim care. The working group reported evaluating the existing national strategy and associated action plan, set to expire at the end of 2018, and began redrafting both documents. During the reporting period, the ATU trained a total of 100 government officials on awareness, identification, and management of human trafficking cases in the eastern part of Suriname. The ATU remained active in the press and on social media raising awareness and warning parents about the use of social media as a tool used by traffickers to lure children. The ATU held four awareness sessions for approximately 150 youth in four districts throughout the country. Police included trafficking awareness in its outreach campaign to youth in different districts. While the government's trafficking hotline remained inactive, the government continued to operate a child and youth hotline; investigators did not report any cases resulting from calls during the reporting period. The government did not make efforts to reduce the demand for commercial sex. Suriname passed two laws to regulate recruitment agencies and prevent potential cases of trafficking related to criminal and misleading recruitment. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Suriname is a source, transit, and destination country for women and children subjected to sex trafficking and men, women, and children subjected to forced labor. Reported cases of trafficking in Suriname's remote jungle interior, which constitutes approximately 80 percent of the country, have increased in recent years; limited government presence in the interior renders the full scope of the problem unknown. Women and girls from Suriname, Brazil, Dominican Republic, Guyana, and Venezuela are subjected to sex trafficking in Suriname, including in remote and illegal gold mining camps in Suriname's interior. Some Surinamese parents subject their daughters to sex trafficking. The influx of migrants from Haiti and Venezuela is vulnerable to trafficking. Migrant workers in agriculture and on fishing boats off Suriname's coast are highly vulnerable to forced labor, as are children working in gold mines and informal urban sectors. Chinese associations, and allegedly some Hong Kong traffickers, recruit and subject Chinese immigrants to sex and labor trafficking in the mining, service, and construction sectors. Surinamese women in neighboring countries are vulnerable to sex trafficking. Traffickers may transport victims through Suriname's interior to bypass official checkpoints. There are reports of corruption and local official complicity in trafficking crimes that may impede anti-trafficking efforts.

SWEDEN: TIER 1

The Government of Sweden fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Sweden remained on Tier 1. The government demonstrated serious and sustained efforts by establishing municipal-level anti-trafficking working groups and action plans to address regional needs and identifying more victims, including potential victims among asylum-seekers. Although the government meets the minimum standards, it did not sufficiently screen migrants for trafficking among an increased volume of migrants and asylum-seekers in the country. The government did not provide funding to NGOs for victim support services. While the government increased the number of prosecutions and convictions, including for forced begging, relatively few investigations resulted in prosecutions for trafficking offenses.



RECOMMENDATIONS FOR SWEDEN

Vigorously prosecute and convict labor and sex traffickers using the anti-trafficking statute; improve efforts to conduct sufficient screenings to identify trafficking victims among migrants; allocate funding to sustain the operation of NGO victim support services; finalize and fully implement a comprehensive national action plan, incorporating all forms of trafficking, including forced labor and criminal activity; expand efforts to train officials involved in judicial proceedings, particularly judges on applying anti-trafficking laws; increase efforts to identify and vigorously prosecute Swedish child sex tourism offenders; establish specialized housing for trafficking victims, including for male victims; and increase efforts to raise awareness of labor trafficking and forced begging.

PROSECUTION

The government increased law enforcement efforts. The 2002 anti-trafficking law, as amended, criminalized sex and labor trafficking and prescribed penalties of two to 10 years imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government proposed new legislation, broadening trafficking penalties to apply to the exploitation of individuals for the purposes of forced labor and begging. In 2017, police investigated 212 trafficking cases (82

sex trafficking and 130 labor trafficking), compared with 196 cases (82 sex trafficking and 114 labor trafficking) in 2016. Of the cases in 2017, 23 sex trafficking cases involved children and 40 of the labor trafficking cases were forced begging. Authorities prosecuted six traffickers and convicted five, compared with three prosecutions and two convictions in 2016. Sentences ranged from eight months to four years and two months imprisonment. Authorities prosecuted three traffickers for forced begging, convicting two with prison terms of four years and two months and expulsion from Sweden, compared with four prosecutions and convictions in 2016. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. Swedish authorities collaborated with foreign governments on transnational investigations.

The national anti-trafficking coordinator and national rapporteur noted law enforcement anti-trafficking efforts were hindered by a reorganization of the Swedish police organization and a shift in focus to other types of cases and crimes, such as gang violence. The national courts offered training for judges and lawyers that included sections on sex trafficking and child victims; however, experts reported some judges lacked sufficient understanding and did not apply current legislation in trafficking cases, which may have resulted in fewer convictions and weak sentences. The national rapporteur conducted training for police and judges, and the prosecutor's office offered online training for prosecutors on working with trafficking victims.

PROTECTION

The government maintained victim protection efforts; however, it did not provide funding to NGOs for victim support services. Authorities identified 212 victims (82 of sex trafficking and 130 of forced labor and forced begging in 2017, compared with 196 victims in 2016 (82 of sex trafficking and 114 of labor trafficking and forced begging); 60 of these new victims were children. NGOs identified an additional 30 victims. Despite implementation of the referral mechanism, authorities continued to contend with the ongoing effects of the European migration crisis. The migration agency's anti-trafficking coordinator identified 444 suspected trafficking victims among asylum-seekers in 2017 (107 were children), a 30 percent increase from 2016. Although the migration agency identified more potential victims, the high volume of asylum-seekers entering the country inhibited authorities' ability to conduct sufficient screenings for trafficking indicators. Authorities provided training on victim identification to new migration agency staff and police.

Municipalities, in collaboration with NGOs and other government agencies, provided victim services, including medical and psychological care, shelter, and social assistance. In the absence of a national action plan, the government did not allocate funding to NGOs for victim support services. In 2016, however, the government provided 500,000 kronor ($61,030) to a civil society platform representing 23 NGOs that provided care to victims. Some municipalities ran shelters specifically for trafficking victims. The national coordinator led a network of approximately 40 NGO-run safe houses, and adult female trafficking victims could receive services at women's shelters for victims of domestic and honor-related violence. Shelters assisted non-Swedish victims with immigration issues, medical care, and educational and employment needs, including Swedish language training. The government trained professionals at safe houses and victim support centers. Authorities referred child victims to social services officials, who placed child victims in foster care or group housing.

The government encouraged victims to assist in the investigation and prosecution of their alleged traffickers. The Aliens Act entitled victims to a 30-day reflection period to contemplate cooperation with law enforcement, during which they were eligible for emergency financial aid; however, only an investigating police officer or prosecutor could file the application, limiting availability to victims already in contact with law enforcement. Victims and witnesses in trafficking cases who cooperated with authorities received temporary residence permits, which allowed them to seek employment. Thirteen trafficking victims and 47 witnesses received permits in 2017 (25 and 45, respectively, in 2016). Although only victims who assisted in investigations were eligible for residence permits, the government provided medical care and repatriation assistance for victims not assisting law enforcement. In 2017, the government repatriated 40 victims through a safe return program in conjunction with an international organization. Prosecutors had the power to file applications for permanent residence permits on behalf of victims based on protection needs, such as in cases in which victims would face retribution in their countries of origin; the government did not issue any permanent residence permits in 2016 or 2017. There were no reports the government penalized victims for acts committed as a direct result of being subjected to human trafficking. In past years, however, GRETA referenced reports of authorities deporting irregular migrants who had been subjected to trafficking without identifying them as potential victims, despite the presence of trafficking indicators.

PREVENTION

The government increased prevention efforts. The government established municipal-level, anti-trafficking working groups and action plans to address regional needs and issues. A national strategy to address men's violence against women came into effect, and the government allocated 1.3 billion kronor ($158.7 million) for awareness campaigns and to promote violence prevention programs and education, including anti-trafficking. The administrative board developed reports on how children, including unaccompanied minors and asylum-seekers, were vulnerable to exploitation, and how authorities handled their trafficking cases. During the reporting period, the government lacked a national action plan, though it initiated work on a new plan in 2017. The newly created gender equality agency incorporated the office of the national anti-trafficking coordinator; however, most of its employees did not transfer to the new agency, raising concerns over the loss of knowledgeable staff. Experts also expressed concern the new agency would focus on sexual exploitation, neglecting other forms of trafficking. As reports of labor trafficking increased, municipalities funded efforts offering advice on employee rights in the Swedish labor market and on avoiding labor trafficking. Authorities conducted mandatory interviews with foreign workers who were employed in at-risk sectors and seeking to extend their work permits. The migration agency conducted background checks on companies employing foreign workers and occasionally denied work visas in cases where employment contracts did not meet the necessary requirements. The tax authority implemented an action plan to combat illegal labor and organized crime. Authorities conducted or funded awareness training for taxi, hotel, and restaurant staff to detect trafficking at their places of work. The government proposed making the purchase of sexual services abroad a crime to reduce the demand for commercial sex, and the new strategy to address violence against women included measures aimed at demand reduction. Sweden's law prohibiting child sexual offenses had extraterritorial reach, allowing the prosecution of suspected child sex tourists for crimes committed abroad. The government provided anti-trafficking training to troops prior to

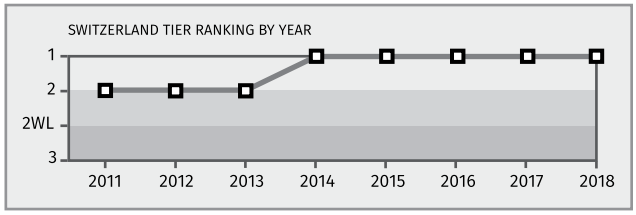
their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, Sweden is a destination and, to a lesser extent, source and transit country for women and children subjected to sex trafficking, and a destination country for men, women, and children subjected to forced labor, including forced begging and stealing. Sex trafficking victims largely originate from Eastern Europe, Africa, East Asia, and the Middle East, though Swedish women and girls are vulnerable to sex trafficking within the country. Reported cases of labor trafficking and forced begging are increasing. Victims of labor trafficking, who largely originate from Eastern Europe, West Africa, and East Asia, face exploitation in service, cleaning, and construction; cases among seasonal berry pickers have decreased significantly in recent years. Roma, primarily from Romania and Bulgaria, are vulnerable to forced begging and criminality and, to a lesser extent, sex trafficking. Most traffickers are the same nationality as their victims and are often part of criminal networks engaged in multiple criminal activities, although an increasing number of reported cases involve traffickers who are family members or have no ties to organized crime. The approximately 26,000 migrants, who applied for asylum in 2017, primarily from Nigeria, Afghanistan, Iraq, Vietnam, Morocco, and Cuba, as well as a many stateless individuals, are vulnerable to human trafficking. Unaccompanied children are especially vulnerable; a 2015 study found more than half of suspected child trafficking victims identified since 2012 arrived in Sweden as unaccompanied minors, primarily from Africa and Eastern Europe. More than 1,336 unaccompanied foreign children applied for asylum in Sweden in 2017. Street children in Sweden, especially boys from Morocco, are vulnerable to child sex trafficking and forced criminality. Approximately 4,000 and 5,000 Swedes commit child sex tourism offenses abroad annually, primarily in Asia.

SWITZERLAND: TIER 1

The Government of Switzerland fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Switzerland remained on Tier 1. The government demonstrated serious and sustained efforts by increasing training for police and prosecutors, ratifying the ILO protocol of 2014 to the forced labor convention, and adopting an improved policy to screen newly arrived asylum-seekers for trafficking. Although the government meets the minimum standards, it continued to partially or fully suspend sentences for the majority of convicted traffickers, prosecuted and convicted fewer traffickers, and provided insufficient resources to its trafficking coordinating body.



RECOMMENDATIONS FOR SWITZERLAND

Vigorously prosecute, convict, and sentence traffickers with sufficiently stringent prison sentences, including in forced labor cases; strengthen or revise existing criminal code articles, particularly article 182, to better differentiate between sex and labor trafficking; increase victim identification training for labor inspectors; increase funding for the trafficking coordinating body and provide NGOs with fixed funding for annual operating costs; establish a comprehensive referral system and standardize assistance for all victims; increase access to specialized services, especially for asylum-seekers, male, child, and transgender victims; include NGO participation in the early stages of trafficking investigations to ensure victim protection; and improve the process for issuing short- and long-term residency permits for potential victims, especially those in the asylum registration and transition centers.

PROSECUTION

The government maintained law enforcement efforts. Articles 180, 181, 182, 195, and 196 of the penal code criminalized sex and labor trafficking with penalties from one to 20 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. As in previous years, the government did not disaggregate data on law enforcement efforts between sex trafficking and forced labor and did not provide annual investigative data. Cantonal authorities prosecuted 143 defendants in 2017, compared with 190 in 2016. In July 2017, in the government's largest case to date, authorities in Bern launched formal criminal proceedings against a Thai woman, arrested in 2014, accused of forcing at least 80 female and transgender victims into prostitution. The government convicted 13 defendants on trafficking charges in 2016 (the most recent year for which complete data were available), compared to 22 in 2015. Six prison sentences were partially suspended, two were fully suspended with no fines, and one was fully suspended with a fine of 500 Swiss francs ($510). The highest sentence issued for trafficking crimes was for approximately 3 years in prison. Of the 13 convicted, nine received sentences that resulted in actual jail time and seven of the nine resulted in at least one year imprisonment. Although complete sentencing data was not available for the current reporting period, in 2017, a court in the canton of Fribourg convicted a man for trafficking and child sex abuse and sentenced him to 16 years imprisonment and fines between 40,000 and 50,000 Swiss francs ($41,030 and $51,280) to be paid to three victims.

Trafficking investigations and prosecutions fell strictly under the jurisdiction of individual cantons except for cases involving organized criminal networks, which fell under federal police (FedPol) jurisdiction. Several cantons had their own specialized anti-trafficking police units. The government conducted multiple training events for law enforcement. In April 2017, FedPol held a workshop focused on the prevention of labor trafficking for labor inspectors and prosecutors. In May 2017, the Swiss police institute held a three-day trafficking seminar for police and prosecutors. In June 2017, the government held advanced trafficking training for German-speaking police officers. The government continued to hold annual trafficking training for cantonal prosecutors, which focused on victim testimony and assistance during criminal proceedings.

Civil society reported the government's predominant focus on trafficking for sexual exploitation hampered the identification and prosecution of forced labor. Authorities continued to

prosecute few labor trafficking cases, and civil society reported labor inspectors frequently regarded victims as criminals. An international organization reported labor inspectors often misidentified forced labor victims as illegal workers or victims of wage dumping. During the reporting period, the government assisted in 19 international investigations and criminal trials. According to GRETA, Switzerland had a network of 10 police attachés posted abroad, which provided support to government prosecution authorities in combating trans-border crime, including human trafficking. During the reporting period, the government investigated four Swiss registered sex offenders for child sexual exploitation abroad. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking.

PROTECTION

The government maintained protection efforts. The federal government continued to lack standard procedures across cantons for victim protection and victim identification. In 2017, cantonal authorities identified 228 victims (197 in 2016), 120 of whom were victims of forced prostitution (107 in 2016). Assistance for victims of violence was available in 24 out of the 26 cantons, but did not always include anti-trafficking services and varied canton to canton. In 2016, the latest year for which assistance data was available, 101 victims and relatives of victims received government-funded trafficking-specific counseling, compared with 71 in 2015. For the second consecutive year, civil society and an international organization reported an increase in the number of trafficking victims among asylum-seekers. The State Secretariat for Migration identified 100 potential victims undergoing the asylum process in 2017. The government's border police adopted a new policy of screening newly arrived asylum-seekers alone in order to eliminate the potential influence of traffickers operating within migrant camps. However, NGOs reported asylum accommodations did not provide adequate assistance and counseling services to possible victims and asylum-seekers remained vulnerable as they could be deported back to their first country of EU entrance without first receiving victim protection.

Under the Swiss Victim Assistance Law, all trafficking victims were entitled to help from the government-funded women's shelters or victim assistance centers for victims of abuse, and enjoyed special safeguards during criminal proceedings. Cantonal authorities maintained jurisdiction on providing protection for victims, and trafficking victims were entitled to free and immediate assistance centers that varied from canton to canton. Some cantons had formal referral systems in place with NGO-operated victim assistance facilities specialized in trafficking. While the provisions of local victim assistance centers varied from canton to canton, they generally provided victims with up to four weeks of emergency lodging and living allowance, several hours of consultations with a lawyer, mental health counseling, medical treatment, transportation, and translation services. If recovery required more time, the government was obligated to assume the additional cost of longer-term care. Through the anti-human trafficking ordinance, the government granted 314,060 Swiss francs ($322,110) to five NGOs from a total annual allocation of 400,000 Swiss francs ($410,260). Nine cantonal authorities adopted a new financing model for one Zurich-based NGO linked to the number of victims assisted and no longer allocated funds for fixed operating costs. NGOs reported the new model forced them to be more reliant on the federal government and private donations. The ordinance allowed all organizations involved in implementing anti-trafficking measures to apply for a government grant. Federal and cantonal government sources financed the vast majority of a leading NGO's 2.6 million Swiss francs ($2.7 million) operating costs for its trafficking victim protection program. The NGO assisted 228 trafficking victims, 202 of which were women, 19 transgendered, and seven male. Sixty percent were sex trafficking victims, 13 percent were forced labor victims, and the remaining 23 percent fell into other categories. Twenty-three percent of victims were referred by cantonal or federal police and judicial authorities, a decrease from 47 percent in 2016, which was reportedly due to recent pressure from local criminal defense attorneys to exclude the NGO's participation in the early stages of trafficking investigations. Services for child and male victims were limited, especially shelter, counseling, and victim referral resources. The government provided male victims temporary shelter in centers, hotels, or NGO-operated shelters for men, and NGOs that received government support provided limited services to such victims. One of the leading NGOs also assisted male victims and helped four transgendered victims. NGOs reported insufficient resources for male and child trafficking victims. The government also facilitated assistance to foreign victims of trafficking; however, due to strict residency requirements, few were granted long-term residency permits and instead were provided with repatriation assistance to help them return home. In 2017, the government provided repatriation assistance to 16 victims, the majority from Eastern Europe. A leading NGO reported an increase in cases of victims, relatives of victims, and witnesses fined for breaching immigration laws and subsequently deported, despite making official statements to assist ongoing trafficking cases.

Cantonal immigration authorities were required to grant victims a minimum 30-day reflection period to decide participate in judicial proceedings against their traffickers. The government granted 55 individuals reflection periods, 90 short-term residence permits, and 14 hardship-based residence permits (48 reflection periods, 90 short-term residence permits, and 21 hardship-based residence permits in 2016). The government held three workshops in Bern, Lausanne, and Zurich to educate officials on guidelines for issuing residence permits to victims. NGOs expressed concern that it remained difficult for victims to obtain victim protection and hardship residence permits without the assistance of a judge. Twenty-three victims received restitution payments in 2016, compared with 16 in 2015, the most recent year for which data was available for comparison.

PREVENTION

The government increased prevention efforts. A specialized unit within FedPol, the Swiss Coordination Unit against the Trafficking in Persons and Smuggling of Migrants (KSMM), coordinated national efforts, including anti-trafficking policy, information exchange, cooperation, and training. Members of civil society reported the KSMM continued to be understaffed, underfunded, and needed greater institutional support from the government. In 2017, the government began the implementation of its new national action plan. The plan focused on standardizing the issuance of residency permits and victim identification guidelines for police, as well as minimizing the unintentional punishment of victims. The plan also included the establishment of a national victim assistance program to standardize the varying level of victim assistance across cantons. Again, the government co-hosted and co-funded several awareness events organized by cantonal authorities and NGOs during the national anti-trafficking week in October 2017. In addition, the government provided funding to three Ticino-based NGOs to conduct awareness campaigns within the health care sector. In December 2017, KSMM hosted its

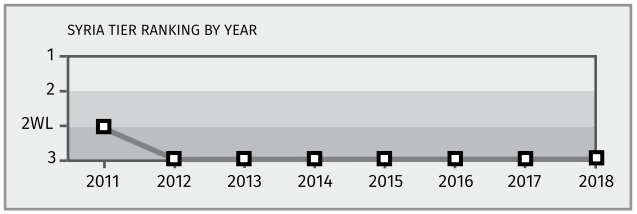
fourth national meeting of the heads of the cantonal anti-trafficking roundtable to exchange information on trafficking issues and anti-trafficking measures. The roundtable focused on the identification and protection of Nigerian and child victims. The government conducted an annual assessment of its anti-trafficking efforts, which it provided to the Council of Europe, OSCE, and UN. Programs to fund Romanian NGOs providing victim assistance and anti-trafficking efforts in Bulgaria continued during the reporting period. The government did not demonstrate efforts to reduce the demand for commercial sex. The government ratified the ILO's 2014 protocol to the forced labor convention in September 2017. The government provided funding to an NGO to operate a national victim hotline and email.

TRAFFICKING PROFILE

As reported over the past five years, Switzerland is primarily a destination and, to a lesser extent, a transit country for women, children, and transgender people subjected to sex trafficking, as well as men, women, and children subjected to forced labor, including forced begging and forced criminal activity. Foreign trafficking victims originate primarily from Central and Eastern Europe—particularly Romania, Hungary, and Bulgaria, with increasing numbers from Nigeria and Thailand. Victims also come from China, Brazil, Cameroon, and the Dominican Republic. Forced labor exists in the domestic service and health care sectors, and in agriculture, catering, construction, and tourism. The number of victims among asylum-seekers continues to grow. Female victims among asylum-seekers came from Nigeria, Eritrea, and Ethiopia, and were often forced into prostitution and domestic servitude. Male victims among asylum-seekers came primarily from Eritrea and Afghanistan and were exploited both in prostitution and forced labor.

SYRIA: TIER 3

The Government of Syria does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Syria remained on Tier 3. The government did not demonstrate any efforts to address human trafficking through prosecution, protection, or prevention measures. The government's actions directly contributed to the population's vulnerability to trafficking and it continued to perpetrate human trafficking crimes routinely. The government did not investigate or punish traffickers, including officials complicit in recruiting and using child soldiers, nor did it identify or protect any trafficking victims. The government continued to forcibly recruit and use child soldiers, subjecting children to extreme violence and retaliation by opposition forces; it also did not protect and prevent children from recruitment and use by government and pro-Syrian regime affiliated militias, armed opposition forces, and designated terrorist organizations such as the Islamic State of Iraq and Syria (ISIS). The government continued to arrest, detain, and severely abuse trafficking victims, including child soldiers, and punished them for crimes committed as a direct result of being subjected to human trafficking.



RECOMMENDATIONS FOR SYRIA

Stop the forcible recruitment and use of child soldiers by government forces, pro-government militias, armed opposition forces, and designated terrorist organizations such as ISIS; proactively identify potential trafficking victims and provide them with appropriate protection services, including appropriate and long-term care for demobilized children; ensure trafficking victims are not punished for crimes committed as a direct result of having been subjected to trafficking; and prosecute and convict perpetrators of trafficking, including officials complicit in the unlawful recruitment and use of child soldiers.

PROSECUTION

The government made no discernible anti-trafficking law enforcement efforts, and the government and government-affiliated militias remained complicit in child soldiering. The violent civil war continued to directly amplify the magnitude of human trafficking crimes occurring within Syria. Decree No.3 of 2011 appeared to criminalize some forms of labor and sex trafficking, but did not include a clear definition of human trafficking. This decree prescribed a minimum punishment of seven years imprisonment and a fine between 1 million and 3 million Syrian pounds ($1,940 to $5,830), a penalty that was sufficiently stringent but, with respect to sex trafficking, not commensurate with those prescribed for other serious crimes, such as rape. Law No.11/2013 criminalized all forms of recruitment and use of children younger than the age of 18 by armed forces and armed groups; however, the government made no efforts to prosecute child soldiering crimes perpetrated by government and pro-regime militias, armed opposition groups, and designated terrorist organizations. The government did not report investigating, prosecuting, or convicting suspected traffickers, nor did it investigate, prosecute, or convict government officials complicit in human trafficking. The government did not provide anti-trafficking training for officials.

PROTECTION

The government made no protection efforts; instead, it directly punished victims for crimes committed as a direct result of being subjected to human trafficking. The government did not protect children from forcible recruitment and use as soldiers, human shields, and in support roles by government forces and pro-government armed groups, armed opposition groups, and terrorist organizations. The government routinely arrested, detained, raped, tortured, and executed children for alleged association with armed groups; the government made no effort to offer these children any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

The government made no effort to prevent human trafficking;

the government's actions continued to amplify the magnitude of human trafficking crimes in the country. The government did not implement measures to prevent children from unlawful recruitment and use as combatants and in support roles by government, pro-regime militias, opposition armed groups, and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism by Syrian nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Syria is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. The situation in Syria continues to deteriorate amid the ongoing civil war with sub-state armed groups of varying ideologies exerting control over wide geographic swathes of the country's territory. Human rights groups and international organizations estimate approximately 400,000 people have been killed since the beginning of protests against the Bashar al-Assad regime in March 2011. More than half of Syria's pre-war population of 23 million has been displaced; as of March 2018, more than five million have fled to neighboring countries and, as of November 2017, approximately 6.1 million are internally displaced. Syrians that remain in the country and refugees in neighboring countries are extremely vulnerable to trafficking. Syrian children are reportedly vulnerable to forced early marriages—which can lead to commercial sexual exploitation and forced labor—and children displaced within the country continue to be subjected to forced labor, particularly by organized begging rings. In March 2016, the media reported that women from Nepal and Bangladesh were forced to work in domestic servitude or the sex industry in Syria.

Incidents of human trafficking continue to increase and trafficking victims remain trapped in Syria, particularly as ISIS consolidated its control of the eastern governorates of Raqqa and Deir al-Zour. In June 2014, ISIS announced the establishment of an Islamic "Caliphate" in Iraq and Syria. In December 2014, ISIS publicly released guidelines on how to capture, forcibly hold, and sexually abuse female slaves. In April 2015, an international organization reported that the system of organized sexual slavery and forced marriage by ISIS militants—which can lead to commercial sexual exploitation and forced labor—is a central element of the terrorist group's ideology. While ISIS has lost the majority of the Syrian territory it once controlled, it continues to force local Syrian girls and women in ISIS-controlled areas into marriages with its fighters and it routinely subjects women and girls from minority groups to forced marriage, domestic servitude, systematic rape, and other forms of sexual violence. ISIS routinely forces Syrian girls to undergo virginity tests before trading them in "slave bazaars" and sending them to various Syrian provinces and other countries for sexual slavery. In 2016, ISIS began moving thousands of abducted women and girls from the Yezidi minority group in Iraq into Syria ahead of Iraqi government forces' push to drive ISIS out of Mosul, Iraq. Additionally, following the February 2015 ISIS incursion into Assyrian villages in the northeastern province of al-Hasaka, it captured as many as 30 Assyrian Christian women and forced them into sexual slavery. While many Yezidi women were rescued in Syria when Coalition and Syrian Democratic Forces (SDF) liberated ISIS-held territory, thousands remain missing.

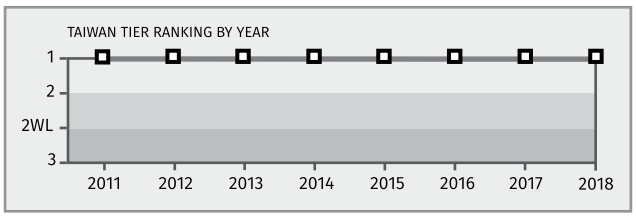
The recruitment and use of children in combat in Syria has become commonplace. Syrian government forces, pro-regime militias, and armed non-state actors, including the Free Syrian Army (FSA) and FSA-affiliated groups, Kurdish forces, ISIS, and Jabhat al-Nusra—the al-Qa'ida affiliate in Syria—continue to recruit and use boys and girls as soldiers. Jabhat al-Nusra and ISIS have also used children as human shields, suicide bombers, snipers, and executioners. Militants also use children for forced labor and as informants, exposing them to retaliation and extreme punishment. Some armed groups fighting for the Syrian government, such as Hezbollah, and pro-regime militias known as the National Defense Forces (NDF), or "shabiha," forcibly recruit children as young as six years old. In the first documented incident by an international organization of the re-recruitment of children, 15 boys who were recruited and trained by ISIS in 2013 were re-recruited by the FSA in 2014 and subsequently used in combat in 2016. ISIS actively deploys children—some as young as eight years old—in hostilities, including coercing children to behead Syrian government soldiers; the terrorist group has deliberately targeted children for indoctrination and used schools for military purposes, endangering children and preventing their access to education. By forcibly recruiting and using children in combat and support roles on a mass scale, ISIS has engaged in horrific conduct that violated international humanitarian law and may constitute war crimes. Before its liberation in October 2017, ISIS operated at least three child training camps in Raqqa, where it forced children to attend indoctrination seminars and promised children salaries, mobile phones, weapons, a martyr's place in paradise, and the "gift" of a wife upon joining the terrorist group. The Kurdish People's Protection Units (YPG/YPJ) continued to recruit, use, and train boys and girls as young as 12 years old, despite having signed a pledge of commitment with an international organization in June 2014 to demobilize all fighters younger than 18 years old. Sources reported in 2016 and 2017 instances in which Iranian officials and Iran's Islamic Revolutionary Guard Corps (IRGC) actively recruit and use—through threats of arrest and deportation—Afghan immigrant men and children living in Iran to fight in IRGC-organized and commanded militias in Syria. In June 2016, media reports stated Iran recruited some Afghans inside Afghanistan, and Afghans residing in Iran, to fight in Syria in support of the Syrian regime. Some foreigners, including migrants from Central Asia, are reportedly forced, coerced, or fraudulently recruited to join extremist fighters, including ISIS.

The Syrian refugee population is highly vulnerable to sex trafficking and forced labor in neighboring countries, particularly Jordan, Lebanon, Iraq, and Turkey. In 2015, an international organization reported a high number of child marriages of Syrian girls among refugee populations. Syrian refugee women and girls are vulnerable to forced or "temporary marriages"—for the purpose of prostitution and other forms of exploitation—and sex trafficking in refugee camps, Jordan, and cities in the Iraqi Kurdistan Region (IKR), including Sulaimaniya. In Baghdad, Basrah, and other cities in southern Iraq, reports from 2015 indicated some Syrian refugee women were forced into prostitution by a trafficking network in hotels and brothels after agents of the network promised to resettle them from the IKR; the women's children were forced to beg on the street. In Turkey and Lebanon, Syrian refugee women and girls are exploited by illicit prostitution rings. In Turkey, some female Syrian refugees are reportedly exploited after accepting fraudulent job offers to work in hair salons. In Turkey, Lebanon, and Jordan, Syrian refugee children continue to engage in street begging, some of which may be forced or coerced. Syrian children are also observed working in Turkey's agricultural sector and informally

in textile workshops and the service sector where they experience long working hours, low wages, and poor working conditions; children in these sectors may be vulnerable to forced labor. In Lebanon's Bekaa Valley, Syrian gangs force refugee men, women, and children to work in agriculture, where victims are forced to work under harsh conditions with little to no pay and some are subject to physical abuse. LGBTI persons among the Syrian refugee population in Lebanon are reportedly vulnerable to sex trafficking by Lebanese pimps. Throughout 2016, displaced Syrians continued to seek illegal passage to Europe via the Mediterranean Sea through the use of smugglers; these Syrians may be at risk of trafficking.

TAIWAN: TIER 1

Taiwan authorities fully meet the minimum standards for the elimination of trafficking. Authorities continued to demonstrate serious and sustained efforts during the reporting period; therefore Taiwan remained on Tier 1. These efforts included a sharp increase in the number of trafficking prosecutions, leading to more convictions—including of officials—and the identification and service provision of a significantly higher number of victims than in prior years. Although Taiwan authorities meet the minimum standards, separation of purview between the Ministry of Labor (MOL) and the Fisheries Agency (FA) continued to impede efforts to address forced labor on Taiwan-flagged and -owned fishing vessels in the highly vulnerable distant water fleet (DWF). Authorities at times did not pursue appropriate legal action against Taiwan individuals reported to have subjected migrant workers to forced labor on fishing vessels. Lack of awareness and dissuasive performance evaluation systems in the judiciary continued to drive lenient sentencing for traffickers, and domestic workers and caregivers remained at elevated risk due to a stalled domestic worker protection bill. Certain provisions of Taiwan's child sexual exploitation laws appeared insufficient to criminalize all forms of the crime.



RECOMMENDATIONS FOR TAIWAN

Increase efforts to prosecute and convict traffickers under the anti-trafficking law and sentence convicted traffickers to sufficiently stringent punishments; increase oversight of and, where appropriate, prosecute the owners of Taiwan-owned and -flagged fishing vessels suspected of forced labor in the distant water fleet; clearly define roles and responsibilities for the agencies that oversee Taiwan-flagged fishing vessels; enact legislation that would address gaps in basic labor protections for household caregivers and domestic workers; improve the effectiveness of anti-trafficking training and increase prosecutors' and judges' understanding of trafficking crimes; enhance cross-border efforts to prosecute offenders and identify and protect victims; strengthen efforts to screen for forced labor among individuals returned to Taiwan in connection with alleged overseas criminal activity, and refer victims to protective services accordingly; and strengthen efforts to publicize the foreign worker trafficking hotline number among migrant crewmembers of Taiwan-owned and -flagged fishing vessels.

PROSECUTION

Authorities increased anti-trafficking law enforcement efforts. The Human Trafficking Prevention and Control Act (HTPCA) criminalized all forms of trafficking and prescribed penalties of up to seven years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Observers noted ambiguities in HTPCA provisions could have complicated implementation in cases where victims received some financial compensation. Other HTPCA provisions protected laborers from having to remit "unreasonable payments of debt" to brokers or supervisors, but did not clarify what would constitute an unreasonable payment of debt; observers expressed concern that these provisions were too vague to prevent debt bondage effectively. Authorities continued to prosecute the majority of trafficking cases under other laws in the criminal code and the Children and Youth Sexual Exploitation Prevention Act (CYSEPA), which prescribed penalties for child sex trafficking that were not sufficiently stringent or commensurate with other grave crimes, such as rape.

Authorities conducted 32 labor trafficking and 93 sex trafficking investigations in 2016—a slight decrease from 134 total investigations in 2016—but initiated a total of 248 prosecutions (compared to 128 in 2016). This figure included 109 individuals tried under the HTPCA (44 in 2016; 30 in 2015), and culminated in 62 convictions (56 in 2016). Authorities convicted eight traffickers under the TIP law (28 in 2016), with the remainder under the CYSEPA and other criminal code provisions. As in prior years, traffickers convicted under the HTPCA received lighter sentences than defendants convicted under the CYSEPA and other sections of the criminal code. Sentences imposed on the majority of convicted traffickers (at least 31) were less than one year imprisonment, which were inadequate to serve as an effective deterrent to the commission of trafficking crimes. Officials ascribed the tendency to impose lenient penalties to Taiwan's judicial evaluation and promotion system, which reportedly penalized judges if courts granted convicted traffickers' appeals to overturn or shorten their sentences.

During the reporting period, authorities concluded separate criminal proceedings begun in 2016 against a prosecutor who engaged in commercial sex with a minor and a city councilor who exploited foreign women in prostitution; courts sentenced them to 22 months and five years imprisonment, respectively. For the second consecutive year, authorities also launched formal trafficking investigations into cases involving fishermen. In one such case, Kaohsiung prosecutors indicted 19 individuals for allegedly subjecting over 80 foreign fishermen to forced labor; the case was ongoing at the end of the reporting period. However, some observers believed authorities were not sufficiently responsive in other cases involving forced labor in the fishing industry. Police cited jurisdictional concerns and lack of evidence in their decision to cease investigation of Taiwan individuals known to have been involved in a high-profile Cambodian labor trafficking case in 2014. Additionally, observers reported that insufficient inspection of fishing vessels in Taiwan's highly vulnerable DWF likely impeded investigation into cases involving forced labor. Authorities continued to train law enforcement officers, prosecutors, and judges through various workshops, seminars, and conferences. Nonetheless, authorities and NGOs cited continued challenges in effective

prosecution of labor trafficking cases due to court officials perceiving cases as labor disputes rather than trafficking crimes.

PROTECTION

Authorities increased protection efforts. They identified 328 trafficking victims (209 exploited in sex trafficking and 119 in forced labor), of which 298 were referred to shelters for assistance, compared to 263 victims identified in 2016 (278 in 2015) and 240 referred to shelters. Law enforcement officials used standardized questions and evaluation forms when interviewing and referring potential trafficking victims, including among foreigners accused of having committed immigration violations. By law, only police and prosecutors could make official victim identifications; believing some victims went undetected under this arrangement, NGOs and prosecutors continued to advocate for authorities to allow social workers and labor inspectors to identify victims as well. NGOs also continued to report cases in which judges disagreed with law enforcement officers' or prosecutors' prior identification of victims and therefore overturned relevant trafficking charges. Observers were concerned that the MOL's labor broker evaluation system was not sufficiently effective in identifying abuses, including forced labor, due to the fact that inspections were announced in advance. NGOs continued to stress the need for authorities to pass a long-stalled domestic worker protection bill that would mandate hours of rest, days off, and annual leave. The authorities did not take legislative steps to ensure these benefits in 2017, but the MOL convened a task force to begin formulating basic guidelines on domestic worker protections in the interim.

The National Immigration Agency (NIA) operated one shelter dedicated to foreign trafficking victims and continued construction of a second; in prior years, the NIA operated three shelters. Victims from the People's Republic of China were only eligible for assistance in the NIA shelters, while other nationals could access a wider array of NGO shelter services. Citing lower personnel costs, the NIA slightly decreased its budget for victim protection during the reporting period. The MOL subsidized an additional 20 shelters and operated a 24-hour hotline that trafficking victims could access; however, some NGOs expressed concern that some of its personnel were under-responsive to callers, and as such recommended that MOL enhance victim identification and operational training for hotline staff. These groups also noted that migrant crewmembers aboard vessels in the DWF were often unaware of the hotline. In addition, the NIA ran a 24-hour Chinese-English hotline, but did not receive any phone calls during the reporting period, possibly due to similar lack of awareness among target beneficiaries. Shelters provided both male and female trafficking victims with medical and psychological services, legal counseling, vocational training, small stipends, language interpretation, and repatriation assistance.

Authorities encouraged victims to participate in their traffickers' criminal investigations by allowing them to testify outside of the courtroom or through video equipment. Authorities offered foreign victims temporary residence and work permits, and significantly increased the number of such conferrals (126 and 159, respectively, compared to 92 and 98 in 2016). During the reporting period, authorities provided repatriation assistance to 39 trafficking victims. Victims were able to obtain restitution through out-of-court settlement or file civil suits against traffickers; however, they were required to provide all relevant evidence themselves. Authorities and the Legal Aid Foundation funded by the Judicial Yuan were seeking restitution for hundreds of Indonesian caregivers subjected to wage withholding by an unscrupulous broker prior to the enactment of the HTPCA in 2008. The Miaoli District Prosecutors' Office seized the broker's assets—valued at $180 million New Taiwan Dollars ($6.1 million)—to be remitted to the victims of the original offense. Although victims could receive immunity for unlawful acts committed as a direct result of being subjected to trafficking, NGOs and media reported authorities continued to detain, fine, and jail potential trafficking victims during the reporting period due in part to disparities between some judges' prosecutorial metrics and international standards. These individuals included potential trafficking victims who, according to some reports, were coerced into participating in telecom scams and other criminal activities.

Fishing workers hired overseas were not protected by Taiwan's Labor Standards Act and instead fell under the jurisdiction of the FA, rather than that of the MOL. In 2017, the FA promulgated new legislation that standardized fishing workers' employment contracts, set a minimum wage with direct payment options, provided medical and life insurance, unified working hours and rest time, and established access to new complaint mechanisms. However, NGOs remained concerned that the minimum compensation established in these regulations remained below Taiwan's broader minimum wage, leaving some foreign fishing workers vulnerable to exploitation. Although the new legislation also outlined the FA's plans to hire more staff and increase interagency cooperation, observers reported that the separation of responsibilities between the FA and the MOL continued to impede authorities' efforts to combat trafficking in the fishing industry writ large, and that a lack of FA oversight mechanisms in the DWF was likely permissive of forced labor and other abuses. The FA also launched a pilot program in 2018 to more effectively evaluate brokers who deal with foreign fishermen hired overseas, but it was unclear to what extent this program was implemented. Some NGOs doubted the capacity and political will of the FA, pointing to its purview over Taiwan fishermen's associations—which typically engaged in labor recruitment—as a possible conflict of interest.

PREVENTION

Authorities maintained efforts to prevent trafficking. A cabinet-level minister-without-portfolio continued to implement the national plan of action and oversee an interagency working group. Various agencies continued to fund advertisements, public service announcements, and other materials on human trafficking and held trainings for vulnerable populations, including youth, foreign workers, and fishing sector workers. Authorities continued to operate international airport service counters and foreign-worker service stations around Taiwan to assist foreign workers and educate them on their rights. To address exploitation associated with labor recruitment, a direct hiring service center allowed employers to hire foreign workers directly, instead of utilizing brokers who may charge excessive fees; however, regulations promulgated in 2017 ostensibly aimed at better protecting foreign fishermen appeared to contain provisions allowing brokers to charge unlimited recruitment and service fees, which may have been permissive of bonded labor. Most employers continued to deem it easier and more expedient to use brokers, and labor rights groups continued to call on the authorities to eliminate legal loopholes that enable these excessive fees. In 2017, authorities fined six brokers found to have employed debt bondage-permissive fee structures (six in 2016), and suspended five businesses for similar practices (four in 2016). Taiwan's laws criminalized sexual exploitation of children by Taiwan passport holders traveling abroad, but

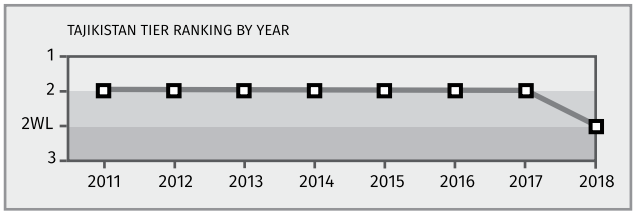
authorities have not investigated or prosecuted any child sex tourism offenses committed abroad since 2006. Authorities made efforts to reduce the demand for commercial sex acts and forced labor and provided anti-trafficking training for diplomatic personnel.

TRAFFICKING PROFILE

As reported in the last five years, Taiwan is a destination for men and women subjected to forced labor and sex trafficking. To a lesser extent, Taiwan is a source of men and women subjected to forced labor, and of women and children subjected to sex trafficking. Of the 314 victims identified in 2017, 193 were foreign victims and 96 were children. Taiwan women and children are subjected to domestic sex trafficking, including as part of an increasing trend in which traffickers induce and take advantage of Taiwan and foreign victims' drug addictions. Many child sex trafficking victims are from economically disadvantaged areas in Taiwan. Women from China and Southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. Taiwan traffickers are also increasingly utilizing smartphone apps and the internet to conduct their recruitment activity and to mask their identities from law enforcement. Many trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent individuals from China and Cambodia. Taiwan is host to more than 675,000 foreign workers, most of whom are hired in their home countries through recruitment agencies and brokers—including some from Taiwan—to perform low-skilled work as home caregivers and domestic workers, or in farming, manufacturing, construction, and fishing. To pay brokers' often exorbitantly high recruitment fees, some foreign workers incur substantial debts, which the brokers or employers then use as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, many foreign workers in Taiwan earn significantly less than the minimum wage. Foreign workers who abscond from their contracted positions—over 50,000, by some estimates—are at particularly high risk of trafficking. Domestic workers and home caregivers are also especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan sometimes assist employers in forcibly deporting "problematic" foreign employees should they complain, enabling brokers to fill the empty positions with new foreign workers under continued debt bondage. Documented and undocumented Chinese, Indonesian, Filipino, Vietnamese, and to a lesser extent North Korean fishermen working on Taiwan-flagged and -owned fishing vessels experience non- or under-payment of wages, long working hours, physical abuse, lack of food or medical care, and poor living conditions, which are all indicators of trafficking. There have been reports of men and women from Taiwan engaged in illegal business operations overseas that present indicators of human trafficking, including in telecom scams targeting Chinese victims.

TAJIKISTAN: TIER 2 WATCH LIST

The Government of Tajikistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by establishing the first police unit dedicated to investigating trafficking crimes; increasing investigations of alleged traffickers, including labor recruitment firms that may have been complicit in the exploitation of migrants; providing funding to an NGO for awareness-raising activities; establishing a hotline for potential victims; and continuing to monitor for forced labor of children in the annual cotton harvest. However, the government did not demonstrate increasing efforts compared to the previous reporting period. Endemic corruption contributed to the transport of victims across borders, yet the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Although the government continued to publicize the ban on child labor in the cotton harvest, there were reports that citizens were coerced into manual labor, including the cotton harvest. For the third consecutive year, it did not implement its victim protection law, leaving officials without victim identification and referral procedures, and resulted in inadequate victim protection services. Therefore Tajikistan was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR TAJIKISTAN

Implement standard operating procedures for identifying trafficking victims and referring them to care, including any victims of forced labor in the cotton harvest; train law enforcement to screen men and women in prostitution for signs of trafficking and ensure sex trafficking victims are not penalized for prostitution offenses; while respecting due process, vigorously investigate and prosecute suspected traffickers, including officials complicit in trafficking, and convict and appropriately sentence perpetrators; increase measures and dedicate funding or in-kind support to provide comprehensive care to victims and encourage their assistance in the investigation and prosecution of traffickers either directly or via partnerships with NGOs; amend existing anti-trafficking legislation to more closely conform with international standards, specifically to criminalize child sex trafficking in the absence of force, fraud, and coercion; continue to enforce the prohibition against the forced labor of children in the annual cotton harvest by inspecting fields during the harvest in collaboration with local officials and NGOs; take substantive action to end the use of forced adult labor in public works projects and in the annual cotton harvest; improve the collection of anti-trafficking law enforcement data; continue to provide anti-trafficking training or guidance for diplomatic personnel and other government employees, including law enforcement officers, border guards, and customs officials, to prevent their engagement or facilitation of trafficking crimes.

PROSECUTION

The government maintained its anti-trafficking law enforcement efforts, but did not provide information on prosecutions or convictions of traffickers. The 2003 criminal code, amended in 2004 and 2008, criminalized all forms of labor trafficking and some forms of sex trafficking. Article 130.1 criminalized labor and some forms of sex trafficking and prescribed penalties of five to eight years imprisonment, which are sufficiently stringent and, with regard to sex trafficking, commensurate with penalties

prescribed for other serious crimes, such as rape. Inconsistent with international law, article 130.1 required a demonstration of forced, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. Article 132 criminalized recruitment for sexual or other exploitation through fraud—but not through coercion—and carried a maximum penalty of two years imprisonment; these penalties were not sufficiently stringent nor, with regard to sex trafficking, commensurate with other grave crimes, such as rape. Article 167 prohibited the buying and selling of children, prescribing five to eight years imprisonment and several other criminal code provisions include trafficking crimes, such as article 130.2, which criminalizes the use of slave labor, and article 241.2, which criminalizes the use of minors in the production of pornography.

The government investigated 42 cases involving 65 suspected traffickers in 2017, compared to 18 cases involving 24 suspected traffickers investigated in 2016. The government did not report initiating any prosecutions or convicting any alleged traffickers in 2017, compared with 13 prosecutions and 10 convictions in 2016. International organizations reported that the government prosecuted 22 cases under article 130.1 during the first 11 months of 2017. The organization reported that 13 additional cases were identified under article 132, and 10 under article 167; it is unclear how many of these cases involved trafficking crimes. Media reports indicate that courts convicted at least three traffickers for their roles in recruiting Tajik women with false promises of overseas employment in the United Arab Emirates and Turkey, where the women subsequently endured forced prostitution. Sentences ranged from eight to ten years imprisonment. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Endemic corruption facilitated transport of victims across borders and through inspection points. In 2017, the Ministry of Internal Affairs (MIA) established the first unit dedicated to investigate only trafficking cases. The unit consisted of 30 officers—18 in the Dushanbe office headquarters, and 12 across four regional offices. The MIA continued to conduct training on human trafficking for new staff as part of its training academy curriculum. In partnership with NGOs, the government trained investigators, prosecutors, and judges on the 2014 victim protection law, victim-centered approaches, and investigative techniques.

PROTECTION

The government maintained minimal efforts to identify trafficking victims, but provided no protection services. The government identified and referred 15 victims to international organizations for assistance, an increase from six victims in 2016 and eight in 2015. Four additional victims were referred by NGOs to an international organization. Civil society groups and international organizations provided protective services to 13 trafficking victims in 2017. The government provided repatriation assistance to one citizen, identified as a trafficking victim in Saudi Arabia. The government made no progress in implementing the 2014 victim protection law, which set forth the provision of victim services; formalized the roles of agencies tasked with providing services; established government standards for service delivery among providers, including governmental agencies and NGOs; and mandated a national referral mechanism, which the government finalized in 2016, but did not report implementing in 2017. As a result, authorities remained without a formal system for identifying trafficking victims and referring them to services.

The government did not report providing any services to trafficking victims and did not directly shelter victims; the country's last shelter for trafficking victims closed when foreign funding expired in April 2016. The government's committee on women and family affairs' crisis center in Dushanbe offered women free legal and psychological assistance among other services but did not assist any trafficking victims. NGOs working on domestic violence also occasionally provided trafficking victims with medical and psycho-social care, legal and vocational training, and assisted in family reunification; however, the government did not provide financial support to such organizations.

Law enforcement officials sometimes temporarily detained sex trafficking victims but later released and referred them for assistance. Women in prostitution have reported instances of sexual violence by law enforcement officials. Furthermore, as law enforcement officials routinely deported foreign migrant workers and did not attempt to identify trafficking victims proactively among men and women in prostitution or forced labor, it was possible officials prosecuted, detained, or penalized trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking. In January 2018, the government announced that police raids had uncovered 280 brothels in Tajikistan, and registered 1,991 women as working in prostitution; the government did not report screening any of these women for indicators of trafficking.

Despite provisions in the 2014 law for security measures for trafficking victims, the government did not keep victims' personal information confidential or provide protection for victim witnesses or their advocates. The law provided foreign victims with the right to request temporary residency, which could be extended for one year following the completion of a criminal case, based on the victims' cooperation with law enforcement agencies, although no such cases were reported in 2017. The 2014 victim protection law did not link other victim benefits to a victim's participation in a trial and provided victim services regardless of legal status or prior consent to participate in subsequently identified trafficking crimes.

PREVENTION

The government modestly increased efforts to prevent human trafficking. The 2014 law established a framework for the government to address human trafficking and a national anti-trafficking commission tasked with coordinating the government's anti-trafficking efforts and developing a national plan. The government did not report any efforts of the commission or any actions related to the implementation of the national action plan in 2017. It also did not report on the efforts of the working group established in 2016 to ensure uniformity in the implementation of the action plan, referral mechanism, and 2014 anti-trafficking law.

The Ministry of Education continued to disseminate letters to local governments highlighting prohibitions against the use of child labor in the cotton harvest. Government-funded campaigns targeted potential victims, local officials responsible for preventing trafficking, and school authorities who had previously mobilized children in the cotton harvest. The government assigned an unspecified number of inspectors to conduct monitoring of the cotton harvest, continuing a practice begun in 2010 in cooperation with NGOs. International

organizations, however, reported that no independent monitoring of the cotton harvest was conducted during the year.

In January 2018, the government launched a hotline service for potential victims that operated 24 hours a day; it did not report the number of calls received relevant to potential trafficking crimes. A foreign-donor-funded and NGO-run hotline focused on aiding migrants, including potential trafficking victims, reported assisting 2,238 individuals; most calls were related to legal rights as migrants. In 2017, the government provided 98,000 Tajikistani somoni ($11,200) to a local NGO for trafficking awareness-raising. The government continued to conduct anti-trafficking courses for officials, school administrators, and law students. The government did not provide any other anti-trafficking training for its diplomatic personnel. Tajik law required entities engaged in recruitment of workers for employment abroad to obtain licenses from migration authorities and provided punitive measures for violations; in 2017 the Prosecutor General's Office initiated a criminal investigation against three private firms for fraudulent recruitment; the investigation remained ongoing. The Tajik migration service provided migrants with information on the risk of trafficking prior to travel abroad. In partnership with the migration service, lawyers employed by an international organization provided legal consultation on migration and trafficking at migration service support centers. The government made efforts to reduce the demand for commercial sex acts by investigating and prosecuting purchasers of commercial sex. The government did not report any efforts to reduce the demand for forced labor.

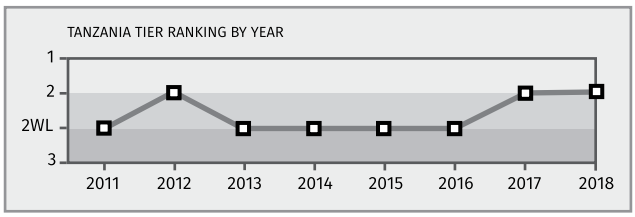
TRAFFICKING PROFILE

As reported over the past five years, Tajikistan is a source and, to a lesser extent, destination country for men, women, and children subjected to forced labor, and a source and destination country for women and children subjected to sex trafficking. Extensive economic migration exposes Tajik men, women, and children to the risk of exploitation. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, UAE, Kazakhstan, and, to a lesser extent, in other neighboring Central Asian countries, Turkey, and Afghanistan. There are growing cases of men being subjected in Tajikistan to labor exploitation in agriculture, construction, and at markets, as well as limited reports of sex trafficking. Women and children from Tajikistan are subjected to sex trafficking primarily in Turkey, UAE, and Russia, and also in Saudi Arabia, Kazakhstan, and Afghanistan, as well as within Tajikistan. The government required its citizens to participate in manual labor, such as cleaning roads and park maintenance, and threatened that government officials could be penalized if their spouses do not participate.

Women and minors are increasingly vulnerable to trafficking. In some cases, migrant laborers abandon their families, making women more vulnerable to trafficking as sole providers for their families. The Russian re-entry ban has changed the nature of labor migration in Tajikistan. As many as 152,000 Tajik migrants remained banned in 2017, and although government data indicates a decline in the departure of prospective male labor migrants, Tajik women are departing in search of work at an increased rate—from 2015 to 2016 there was a 27 percent increase observed among women. Other migrants prefer to stay in irregular status in Russia, and face greater risks of exploitation and deportation, than risk being banned after visiting family in Tajikistan. Many migrants are leaving for Russia with no intent to return to Tajikistan. International organizations estimate that the number of Tajik citizens living and working in Russia is approaching one million. Some women who traveled to Syria or Iraq with promises of marriage were instead sold into sexual slavery. Tajik women and girls are transported to Afghanistan for the purpose of forced marriage, which can lead to domestic servitude, sex trafficking, and debt bondage. Tajik children are subjected to sex trafficking and forced labor, including forced begging, in Tajikistan and Afghanistan. Tajik children and adults may be subjected to forced labor in agriculture—mainly during Tajikistan's fall cotton harvest—and in dried fruit production. Afghan and Bangladeshi citizens are vulnerable to forced labor in Tajikistan, including in the construction industry.

TANZANIA: TIER 2

The Government of Tanzania does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Tanzania remained on Tier 2. The government demonstrated increasing efforts by identifying more trafficking victims, increasing funding for the Anti-Trafficking Secretariat (ATS), cooperating with foreign law enforcement officials on a trafficking investigation, and launching a central data collection system for trafficking crimes. However, the government did not meet the minimum standards in several key areas. The government prosecuted and convicted fewer traffickers than last reporting period and offered the majority of convicted traffickers the option of a fine. The implementing regulations for the protection provisions of the 2008 anti-trafficking law were not widely applied and protection services for trafficking victims remained limited. The government did not allocate sufficient funding for nationwide public awareness campaigns, and did not fund the victims' assistance fund. The government took no discernable steps to address official complicity in trafficking crimes, which inhibited law enforcement action during the year.



RECOMMENDATIONS FOR TANZANIA

Fully implement the protection provisions of the 2008 anti-trafficking act, as outlined in the implementing regulations and the updated national action plan, including allocating resources to the victim assistance fund; increase funding and training to law enforcement authorities for proactive victim identification and the implementation of standardized policies and procedures related to victim identification and referral to protective services; amend the 2008 anti-trafficking act to remove sentencing provisions that allow fines in lieu of imprisonment and align the procedural law pertaining to arrests within the act with the requirements for other serious crimes; increase efforts to enforce the 2008 anti-trafficking act by investigating and prosecuting trafficking offenses, convicting trafficking offenders and imposing adequate penalties; replace the general suspension of recruitment agencies sending migrant workers abroad with strong regulations and oversight of recruitment companies that are consistently enforced; increase migrant worker protections by increasing employer security deposits,

minimum salaries, and pre-departure training for migrant workers, as well as establishing a mutually enforceable standard contract, a complaints mechanism for returning workers, a public blacklist of abusive employers, and requiring exit interviews and embassy approval of residency permits of migrant workers; continue to train judges and prosecutors to identify trafficking crimes and delineate the legal differences between trafficking and migrant smuggling; and increase the budget allocation for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking.

PROSECUTION

The government made uneven anti-trafficking law enforcement efforts. The 2008 Anti-Trafficking in Persons Act criminalized labor and sex trafficking and prescribed punishments of two to 10 years imprisonment, a fine between 5 million and 100 million Tanzania Shillings (TZS) ($2,240 to $44,740), or both for offenses involving adult victims and 10 to 20 years imprisonment, a fine between 5 million and 150 million TZS ($2,240 to $67,110), or both for those involving child victims. These penalties were sufficiently stringent but, with regard to sex trafficking, by allowing for a fine in lieu of imprisonment, the penalties were not commensurate with those for other serious crimes, such as rape. While ATS sent a proposal to eliminate the alternative sentence of fines to the Attorney General's Office during the previous reporting period, the government did not report any progress in reviewing this proposal or amending this provision during the current period. The government also reported that the 2008 anti-trafficking act contains a separate procedural law within it, with different requirements for arrests and warrants than the procedural law for other similarly serious crimes.

The government did not report the number of investigations it initiated during the reporting period, compared with 100 during the previous period. During the reporting period, the government reported prosecutions of at least 24 defendants and convictions of at least four traffickers under the 2008 anti-trafficking act for sex trafficking, compared with 23 prosecutions and 19 convictions in the previous period. The government sentenced all four convicted traffickers to seven years imprisonment; however, three of the four traffickers were given the option of a fine, which they were unable to pay and began to serve their prison sentences. During the reporting period, Tanzanian and South African law enforcement officials cooperated in the investigation of a trafficking crime; the case remained ongoing and further details were not available. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses; however, corruption within the judicial system and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

During the reporting period, with support from an international organization, the government launched a national centralized anti-trafficking data collection and reporting tool. The tool allowed the government to upload information on trafficking cases and victim and trafficker profiles; however, government agencies lacked a unified protocol for reporting trafficking statistics from regional and district levels to the new central data system and data input was limited. The government continued to include human trafficking components in standard police academy training, but the government did not report how many new recruits received this training during the reporting period. The government reportedly incorporated information on root causes of trafficking and effective use of victim referral manuals into the standard law enforcement training curriculum. The government also reported providing targeted training on the anti-trafficking law and its implementing regulations to police investigators when assigned trafficking cases. In partnership with an NGO, the government facilitated the training of 250 law enforcement officers and 40 judicial officials on anti-trafficking measures.

PROTECTION

The government increased efforts to identify victims, while broader efforts to protect victims in line with the provisions of the 2008 anti-trafficking law remained negligible. The government reported identifying at least 59 (29 domestic child victims and 30 foreign victims), and referred them to NGOs for assistance. Possibly overlapping with the government's reporting, an NGO reported the government identified 80 domestic child trafficking victims (80 child victims in 2016) and referred all identified victims to NGOs for care. An international organization reported identification of 15 Indonesian trafficking victims aboard a fishing vessel in Tanzanian territorial waters, but did not report whether assistance was provided. The government facilitated, but did not fund, the repatriation of 33 foreign victims during the reporting period; of these, the police reported the repatriation of eight women back to Nepal and ATS reported facilitating the repatriation of 25 foreign victims, but did not report further details making it unclear if these reports overlapped. These figures compared to four repatriations in the previous reporting period. An international organization reported identifying and repatriating three victims; two were Tanzanian victims in India and one was a Burundian victim in Tanzania. During the reporting period, ATS screened many prisoners and identified and assisted at least four trafficking victims imprisoned as smuggling offenders; additionally, the government reported there were approximately 1,200 Ethiopians in detention centers, many of whom may be trafficking victims.

The government established and began utilizing a centralized data collection tool during the reporting period, which allowed officials to track and compile information on victims identified and support law enforcement efforts. The implementing regulations of the 2008 anti-trafficking act required police and immigration authorities to follow standardized procedures and use standardized forms for case investigation, and victim identification and referral; however, government funding for dissemination of the forms continued to be an obstacle in 2017, and thus the procedures were not widely used. The 2008 anti-trafficking act mandated the government provide victims with psycho-social counseling, family tracing, family reunification, and temporary shelter, but the government did not provide those services to victims during the reporting period. The government continued to rely on NGOs to provide the vast majority of victim assistance. The government did not operate any domestic trafficking shelters, but it previously published a nationwide guidebook with information on NGOs and had referral agreements for certain NGO shelters to more effectively place victims in NGO-run shelters. NGO-run shelters provided medical care, psycho-social counseling, and family tracing for victims. The government placed children in special shelters, where they were enrolled in government schools or given vocational training, and had separate accommodations for boys and girls. However, NGOs reported that while female adult trafficking victims could seek assistance at the shelter dedicated to young girls, there were no shelters available for adult men; furthermore, it was unclear which ministry was responsible for assisting adult trafficking victims. An

international organization reported that the Tanzanian embassy in Oman provided temporary shelter to an unknown number of migrant workers, including potential trafficking victims.

Without national implementation of standard identification procedures or proactive screening of vulnerable populations by immigration officials, it is likely there are many trafficking victims unidentified in the law enforcement system, including those imprisoned under migrant smuggling or illegal immigration charges. The government also reported that frequently children and adults are incarcerated in the same detention centers, a practice the ATS was advocating to change. Despite requirements in the 2008 anti-trafficking law, the government did not fund the anti-trafficking fund for victims during the reporting period, and has not to date. The anti-trafficking law provides foreign victims legal alternatives to their removal to countries where their safety or that of their families may be endangered; however, during the reporting period, the government did not grant residency to trafficking victims, but did grant temporary stay to an unknown number of victims. Victims typically testify in trafficking cases, but the Whistle Blowers and Witness Protection Act of 2015 and the 2008 anti-trafficking act gave any victim of crime and trafficking victims the option to refuse to participate in prosecution efforts. If it is in the best interest of the victim, trafficking trials may be held in private and by camera to protect victim confidentiality and privacy. The anti-trafficking law entitled victims to compensation from convicted traffickers; however, the government did not report awarding compensation during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The government allocated a budget of 98 million TZS ($43,850) to the ATS, the working level anti-trafficking body, a significant increase from last year. The Anti-Trafficking Committee, responsible for the oversight and direction of the ATS, met twice during the reporting period. ATS extended the expired 2015-2017 national action plan through 2018 and began drafting a new one, which was not finalized by the close of the reporting period. Efforts to implement the expired plan or allot funding for its implementation remained minimal throughout the reporting period. Immigration officials on the mainland disseminated informational brochures on trafficking for use at public events; however, the government did not make adequate efforts to raise awareness among its nationals on trafficking issues. While child sex tourism was prevalent in tourist destinations like Zanzibar, government efforts to eliminate sexual and child abuse on the islands have had no discernable impact on the demand for commercial sex acts or child sex tourism during the reporting period. The government did not provide anti-trafficking training to its troops prior to their deployment abroad on international peacekeeping missions, but did provide human rights training, which may have included anti-trafficking training.

Several government agencies, in both Tanzania and Zanzibar, conducted periodic inspections of large employers to detect cases of forced labor. During the reporting period, the Commission of Labor in Tanzania suspended four labor recruitment agencies for violating labor laws or fraud in obtaining licenses in accordance with the Non-Citizens (Employment Regulations) Act of 2015; however, no agencies were delicensed and the government did not report pursuing prosecutions. Throughout most of the reporting period, the government continued to monitor employment abroad by requiring Tanzanians to have valid passports and labor contracts with salary, leave, and health care provisions in order to obtain a letter of permission and an exit permit. The government also required recruitment agencies to provide migrant workers with training on worker rights and destination countries' laws prior to departure and the Companies Act of 2002 required recruitment agencies to be registered and licensed by the government. Tanzanian embassies abroad required employers to submit security deposits to the embassy; the purpose of this was to ensure that the employer would present the migrant worker upon arrival, so the embassy could verify that the worker arrived and that the worker possessed the proper documentation, including contract and passport. However, in January 2018, the government suspended the issuance of travel documents to migrant workers, due to concerns over migrant worker safety abroad. The government reported that in practice, recruitment agencies were not providing pre-departure training to migrant workers and an NGO argued the deposit amount was too small and an insufficient incentive for employers to present migrant workers upon arrival to the Tanzanian embassy. An NGO also reported that Tanzanian contracts were often different from the destination country contract and usually not enforceable, there was no "blacklist" available for migrant workers to avoid previously abusive employers, and recruitment agencies operating in Tanzania would sometimes use "sub-agents," thereby skirting the registration requirements. An NGO reported that there was no complaint mechanism for returning migrant workers and the staff at foreign embassies were not always trained to identify and assist trafficking victims. Reportedly, Tanzanian embassies abroad did not require employers to seek embassy approval for residence permits, and did not require departing migrant workers to report to the embassy for exit interviews. The government did not report an estimated length of the suspension of travel documents to migrant workers or a plan to strengthen migrant worker protections—leaving migrant workers with no legal means to travel abroad for work, and therefore without access to protection mechanisms available through authorized travel, increasing their vulnerability to trafficking.

TRAFFICKING PROFILE

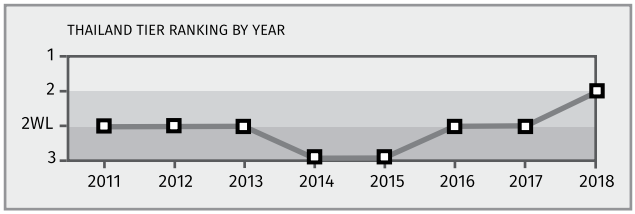
As reported over the past five years, Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Internal trafficking is more prevalent than transnational trafficking and characteristically facilitated by the victims' family members, friends, or intermediaries offering assistance with education or securing employment in urban areas. Impoverished children from the rural interior remain most vulnerable to trafficking. Girls are exploited in domestic servitude throughout the country and in sex trafficking particularly in tourist hubs and along the border with Kenya. An NGO stated that traffickers target young girls from rural and impoverished villages, pay their parents a small fee, and then exploit the girls in sex trafficking to businessmen who believe a myth that having intercourse with a "virgin" will allow their business to prosper. Children are subjected to forced labor on farms—including as cattle herders and occasionally as hunters—and in mines and quarries, the informal commercial sector, and on fishing vessels operating on the high seas. Some unscrupulous individuals manipulate the traditional practice of child fostering—in which poor parents entrust their children into the care of wealthier relatives or respected community members—to subject children to domestic servitude and other forms of exploitative labor.

Drug traffickers will sometimes hold humans as "bond" for varying amounts of time until payments are fulfilled. In 2017, an

NGO reported that Indonesian trafficking victims were identified aboard a fishing vessel in Tanzanian territorial waters. Previous media reports indicate that traffickers transport Tanzanian children with physical disabilities to Kenya for forced begging or for work in massage parlors. Media reports also alleged that traffickers subject girls to sex trafficking in China. Tanzanian nationals are sometimes subjected to forced labor, including domestic servitude, and sex trafficking in other African countries, the Middle East, Europe, Asia, and the United States. In 2017, in an attempt to protect its migrant workers from various abuses reported abroad, the government suspended the issuance of travel documents to migrant workers without an estimated end date or plan to increase protections—leaving migrant workers with no legal means to travel abroad for work, and therefore without access to protection mechanisms available through authorized travel, increasing their vulnerability to trafficking. Trafficking victims from other countries—including children from Burundi and Rwanda, as well as adults from India, Nepal, and Yemen—are subjected to sex trafficking and involuntary servitude, including forced labor in Tanzania's agricultural, mining, and domestic service sectors. As many as 1,200 Ethiopian citizens, many of whom may be trafficking victims, are being held by the government in detention centers under illegal immigration charges in Tanzania. Citizens of neighboring countries may transit Tanzania before traffickers subject them to domestic servitude or sex trafficking in South Africa, Europe, and the Middle East.

THAILAND: TIER 2

The Government of Thailand does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Thailand was upgraded to Tier 2. The government demonstrated increasing efforts by prosecuting and convicting more traffickers, and decreasing prosecution time for trafficking cases through the use of specialized anti-trafficking law enforcement divisions. The government also investigated more cases of suspected official complicity in trafficking crimes and convicted 12 complicit officials in 2017, including 11 officials involved in the trafficking of Rohingya migrants. The government issued regulations to increase oversight of NGO-operated shelters and provide access to governmental financial support. It established an anti-trafficking task force composed of law enforcement, social workers, and NGOs to increase coordination of law enforcement and victim protection efforts; created a victim specialist program; and increased training for labor inspectors on forced labor. However, the government did not meet the minimum standards in several key areas. Officials identified fewer victims of forced labor and investigated fewer forced labor cases compared to the previous reporting period. Although the government continued to increase labor inspections in high-risk industries, inspections resulted in disproportionately few identified victims and criminal investigations. Official complicity continued to impede anti-trafficking efforts, and there were anecdotal reports that officials arrested, detained, and deported some potential victims for crimes committed as a direct result of being subjected to human trafficking. Victims and activists may have been deterred from reporting, and some officials may have been hesitant to pursue investigations of exploitation due to risks of facing criminal defamation charges brought by unscrupulous employers.



RECOMMENDATIONS FOR THAILAND

Improve the capacity of law enforcement, labor inspectors, and first responders to consistently and proactively screen for and identify victims among vulnerable populations, including migrant workers, stateless persons, children, and refugees, and to ensure victims are not subjected to arrest, detainment, or deportations for crimes committed as a direct result of being subjected to trafficking; proactively investigate and prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty with dissuasive sentences; improve the capacity of law enforcement to proactively prosecute and convict sex and labor traffickers; improve law enforcement and first responders' ability to identify and prosecute cases of forced labor, especially in cases lacking physical coercion or confinement; continue to train multidisciplinary teams and labor inspectors to improve the quality of fishing vessel inspections that could result in the identification of victims and criminal investigations; ensure government and NGO-run shelters provide victims with adequate trauma-informed care, including legal assistance, and increase the provision of financial compensation and restitution to victims, including to those who are unable to work outside shelters; foster an environment conducive to reporting human trafficking crimes without fear of criminal prosecution and provide protections for multidisciplinary teams against interference or retaliation; regulate migrant worker labor recruiters, including by enforcing bans on worker-paid recruitment fees and by prosecuting cases with indicators of trafficking; improve migrant workers' rights, legal status, and labor migration policies to minimize the risk of trafficking; enforce regular payment of wages and the rights of employees to retain possession of their own identity and financial documents; and proactively inform migrant workers and other vulnerable populations of their rights, including under new migrant worker regulations, and legal protections from human trafficking.

PROSECUTION

The government increased law enforcement efforts. The 2008 anti-trafficking law, as amended, criminalized sex and labor trafficking and prescribed penalties of up to 12 years imprisonment and a maximum fine of 1.2 million baht ($36,810) for offenses involving an adult victim, and up to 20 years imprisonment and 2 million baht ($61,350) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Labor (MOL) drafted legislation to more clearly define forced labor in Thai law and create additional protections for victims; in 2018 the government sought input from the public on this draft law. The government reported investigating 302 trafficking cases (333 in 2016), initiating prosecutions against 638 suspected traffickers (493 in 2016), and convicting 466 traffickers (366 in 2016) in 2017. Despite reports of continued forced labor in Thailand, the government reported investigating fewer cases; authorities investigated 47 forced labor cases in 2017 (83 in 2016) and 16 in January through March 2018. The government reported

investigating significantly fewer cases of labor trafficking in the fishing industry in 2017; it investigated seven cases in 2017 (43 in 2016). In one case, the government sentenced a boat captain to four years imprisonment and ordered him to pay 450,000 baht ($13,800) in restitution to the victims. The government investigated and detained several vessels operating in international waters, leading to the identification of 50 exploited workers, including 35 trafficking victims and, in one case, the arrest of a broker and crew supervisor. To increase efficiency in prosecuting trafficking and illegal, unreported, and unregulated (IUU) fishing cases, in March 2018 the attorney general issued guidelines to prosecutors with descriptions of relevant charges and sentencing recommendations.

Corruption and official complicity in trafficking crimes continued to impede anti-trafficking efforts, and the government sometimes utilized administrative punishments against suspected complicit officials, such as suspensions or transfers to new positions, rather than subjecting them to criminal prosecutions. However, the government increased efforts to address official complicity. In 2017, the government initiated investigations of 26 officials (10 in 2016), initiated prosecution of seven, and convicted 12 officials complicit in trafficking crimes (three convictions in 2016). In addition, from January through March 2018, it initiated criminal investigations of 20 officials, prosecuted eight, and convicted five. Of the 10 officials initially investigated in 2016, four remained under investigation, the office of the public sector anti-corruption commission referred three for prosecution, and the government chose not to pursue charges against three. In one prosecution completed in 2017, the government convicted 62 offenders, including 11 government officials, involved in the trafficking of Rohingya migrants; it sentenced convicted officials to prison terms ranging from 14 to 79 years. In addition, in March 2018, the government convicted four police officers who solicited bribes in exchange for not pressing charges against those involved in the exploitation of the Rohingya migrants; they were each sentenced to five years imprisonment.

Following the adoption of the Beggar Control Act in 2016, the government increased efforts to investigate forced and child begging; it initiated 26 forced begging investigations in 2017, compared to eight in 2016. Police utilized DNA testing to determine the relationship between child victims of forced begging and the adults accompanying them, and the government prosecuted parents from neighboring countries who brought their children to Thailand more than once to engage in begging. Law enforcement officials cooperated with foreign counterparts to investigate Thai traffickers and victims abroad, and foreign nationals involved in trafficking in Thailand. The anti-money laundering office seized assets worth more than 31 million baht ($950,920) from suspected traffickers in 2017, including in cases involving forced labor on fishing vessels, compared to 784 million baht ($24 million) seized in 2016. The government amended the Human Trafficking Criminal Procedures Act to allow judges to award compensation or restitution to victims, including in the absence of a victim request for these funds.

In early 2018, the Royal Thai Police (RTP) established the Thailand Anti-Trafficking in Persons Task Force (TATIP), composed of law enforcement, social workers, and NGOs, to increase coordination of sex and labor trafficking law enforcement efforts. TATIP included teams of first responders dedicated to screening potential victims, gathering evidence, conducting operations, interrogating subjects, and analyzing digital evidence. The RTP increased the number of personnel assigned to the Thai Internet Crimes Against Children Task Force (TICAC), which investigated internet-facilitated child sex trafficking. In 2017, TICAC investigated 41 allegations of online child exploitation (24 in 2016), including 18 trafficking cases (four in 2016) which resulted in eight trafficking prosecutions. The government operated specialized anti-trafficking divisions within the Bangkok Criminal Court, office of the attorney general (OAG), and the RTP. The government made efforts to encourage victim and witness participation in trafficking investigations and prosecutions. Some victims continued to report reluctance to participate in prosecutions due to fear of detention, an inadequate understanding of the Thai legal process, language barriers, and preferring repatriation over lengthy shelter stays and judicial processes. The specialized anti-trafficking law enforcement divisions continued to complete trafficking investigations and prosecutions more quickly than in previous reporting periods; courts completed the majority of cases heard in 2017 within six months. Thai courts increasingly admitted advance and video testimony by victims as evidence in trials, increasing the willingness of victims to act as witnesses. Prosecutors also worked with NGOs to prepare victims to provide testimony. The government provided 4.3 million baht ($130,670) for witness protection services for 52 witnesses in trafficking cases in 2017, compared to 2.9 million baht ($88,960) for 254 witnesses in 2016.

The government-funded trainings focused on anti-trafficking laws for more than 2,600 police, prosecutors, and other law enforcement officials. The government completed a manual outlining standard operating procedures (SOPs) for trafficking investigations and initiated a pilot in one region in early 2018 to test the procedures; the pilot was ongoing at the end of the reporting period. In addition, the government held training sessions with judges and prosecutors in two local regions to increase their coordination in trafficking cases. In an effort to improve the quality of trafficking prosecutions across the country, the government operated a sub-unit within the OAG trafficking division to provide guidance and mentoring for provincial law enforcement, prosecutors, and other court officials. Coordination between local law enforcement and prosecutors improved, but in some cases weak coordination impeded the success of trafficking prosecutions during the reporting period. The government required all judicial branch officials to report all trafficking-related cases into an integrated case database. The Department of Labor Protection and Welfare (DLPW) organized training for 335 law enforcement officers on forced labor, emphasizing non-physical indicators of trafficking. However, in some cases, first responders, prosecutors, and judges did not sufficiently examine evidence or properly interpret trafficking laws, especially for labor trafficking.

PROTECTION

The government increased efforts to protect victims but identified significantly fewer trafficking victims, particularly of labor trafficking, than in the previous reporting period. The government identified 455 victims in 2017 (824 in 2016), including 336 sex trafficking victims (335 in 2016) and 119 labor trafficking victims (489 in 2016). NGOs and trafficking experts expressed concern that the government inconsistently identified trafficking victims, leaving them vulnerable to penalization and re-trafficking. The Ministry of Social Development and Human Security (MSDHS) reported assisting 450 victims in government shelters (561 in 2016), including 360 identified in 2017 and 90 identified in 2016, of which 132 were Thai and 228 were foreign victims. Authorities assisted in repatriating 147 foreign victims exploited in Thailand, including 36 Rohingya, and facilitated the return of 45 Thais exploited abroad by providing funding

for travel expenses, legal assistance, job placement, and other reintegration services.

Government agencies participating in multidisciplinary teams who deployed to screen for indications of trafficking among vulnerable populations used a standard questionnaire to guide interviews with potential victims. Some NGOs asserted multidisciplinary teams improved capacity to identify victims using a victim-centered approach and were effective in some regions during the reporting period; however, effective implementation of identification procedures was less consistent outside urban areas. Some officials failed to recognize non-physical indicators of trafficking, such as non-payment of wages and document confiscation. In addition to trainings for law enforcement, the government trained more than 1,400 multidisciplinary team members, labor inspectors, social workers, and interpreters on victim identification and referral systems. The government held a series of workshops in early 2018 to review and update screening questions, procedures, and investigative techniques to improve the success of prosecutions. In addition, the RTP established a working group with the MOL to review and evaluate labor violations such as wage disputes and child labor to identify potential victims of trafficking. The government also created a victim specialist training program in early 2018 with 50 social workers, NGO personnel, TATIP members, and other officials to improve identification and investigative techniques. Participants were appointed to mobile response teams that will advise multidisciplinary teams in complex cases. MSDHS trained and registered 67 additional interpreters in 2017, bringing the total number of available interpreters to 251. In addition, the government employed 60 Burmese and Cambodian language coordinators for port-in-port-out (PIPO) inspection centers, an increase from 30 in 2016, and MOL employed 74 interpreters. MOL held trainings for language coordinators onboard vessels and MSDHS held five training sessions on victim assistance for interpreters to support the Command Center for Combatting Illegal Fishing (CCCIF) and the anti-trafficking units of the OAG, police, and criminal courts.

The government continued to refer victims to the 76 short-stay shelters or the nine long-term regional trafficking shelters operated by MSDHS, where they had access to counseling, legal assistance, medical care, civil compensation, financial aid, witness protection, education or vocational trainings, and employment. The government offered Thai victims who did not request assistance in shelters with legal assistance and compensation from the anti-trafficking fund. Gaps in access to suitable services and treatment during investigations, such as subjecting victims to multiple interviews, threat of detention or deportations, lengthy trials, and a lack of shelters in parts of the country, deterred victims from approaching authorities. NGOs reported concerns over the lack of appropriate options for foreign children whose families were complicit in their trafficking or whose identities could not be established. Authorities were more likely to send boy victims to juvenile detention facilities than to centers offering victim services. In October 2017, the government issued regulations to provide for government oversight of NGO shelters while making available the technical support of MSDHS and the opportunity for NGOs to apply for funds from the MSDHS anti-trafficking fund. Previously, NGOs could operate shelters for trafficking victims without government financial support or oversight. The government continued to operate three child advocacy centers in Chiang Mai, Pattaya, and Phuket which served as child-friendly spaces in which law enforcement, NGOs, and social workers could conduct forensic interviews of child trafficking victims.

The government continued to allow more adult trafficking victims the ability to travel, work, and reside outside shelters as provided by Thailand's anti-trafficking law. Of the 450 victims in government shelters, 287 were employed either inside or outside shelters during the course of legal proceedings. Others were in the recovery period, chose not to work, were too young to work, or were receiving educational training in shelters. MSDHS approved a daily allowance of 300 baht ($9.20)—which was the minimum wage in most parts of Thailand—to victims residing in MSDHS shelters who wished to work but were unable to do so due to security concerns or were awaiting an employment opportunity, as well as to some victims not residing in MSDHS shelters who intend to work; however, at the end of 2017, only 24 victims were receiving this financial support. Government efforts to more quickly complete trafficking prosecutions may have resulted in victims spending less time in shelters. NGOs reported a decline in the prevalence of child begging following the passage of the Beggar Control Act during the previous reporting period, which provided for health and social services to beggars, including trafficking victims. The government identified 35 victims of forced begging in 2017, an increase from 20 identified in 2016. However, government agencies inconsistently enforced laws related to forced begging, which may have resulted in authorities sending some potential child victims to homeless shelters rather than MSDHS trafficking shelters.

In 2017, the government provided more than 10.2 million baht ($314,110) to victims and witnesses through various government funds, compared to 9.2 million baht ($280,980) in 2016. This included 5.6 million baht ($171,780) provided to 760 victims from its anti-trafficking fund (5.8 million baht ($177,910) to 648 victims in 2016). In addition, courts ordered more than 18.4 million baht ($565,640) in restitution from traffickers to 151 victims in 2017, an increase from 1.7 million baht ($50,610) to 15 victims in 2016. Nonetheless, legal advocates and NGOs reported compensation and restitution for victims were inconsistently paid and remained too low to incentivize victims to cooperate in prosecutions and funds seized from traffickers' assets were not awarded to victims. MSDHS established a sub-unit under its anti-trafficking division to provide victims legal assistance and file compensation claims. The government provided legal alternatives to deportation to victims who faced retribution or hardship upon return to their home countries. It permitted foreign trafficking victims and witnesses to stay and work in Thailand for up to two years; however, since the government approved extending the duration of stay from one year to two in early 2017, it granted only one victim this status.

The law protected victims from prosecution for acts committed as a result of being subjected to trafficking; however, flaws in the government's implementation of victim identification procedures and its efforts to arrest and deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Victims were prosecuted for crimes committed as a direct result of being subjected to trafficking, including prostitution and immigration violations. The government's criminal defamation laws allowed companies to pursue criminal charges against potential victims during the reporting period; additionally, labor inspectors could be held personally liable for claims of abuse of power, which could be misused and limit their ability or willingness to perform their work. Such policies may have prevented victims, advocates, and labor inspectors from feeling empowered to report abuse. The government amended the anti-trafficking law in 2015 to provide protection to whistleblowers but did not report whether this new provision had been applied.

PREVENTION

The government increased efforts to prevent trafficking. It increased funding for migrant labor management and anti-trafficking efforts to 3.6 billion baht ($110.4 million) in fiscal year 2018 from 3.2 billion baht ($98.2 million) in fiscal year 2017. In September 2017, the cabinet approved the Second National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons, 2017-2021. It conducted campaigns through newspapers, television, radio, social media, billboards, and handouts to raise public awareness throughout the country. Given the low literacy rate and diversity of languages among at-risk persons, however, this information remained inaccessible to many vulnerable non-Thai speakers. The government and civil society groups operated a service center for fishermen to provide information on their rights, skills training, health screenings, and other resources.

The government continued efforts to reduce costs for Thais in overseas guest worker programs, but excessive fees incurred by some Thai workers to obtain employment abroad made them vulnerable to debt bondage or exploitative conditions. Through government-to-government formal migration channels, the government facilitated 20,068 Thais to obtain employment abroad in 2017. Provincial employment offices provided training to more than 3,500 of these workers prior to their departure and MOL screened travel documents for departing workers at 25 checkpoints throughout the country; of 64,602 workers departing Thailand in 2017, 729 were prevented from traveling. In 2017, the government inspected 302 labor recruitment agencies that facilitated overseas and domestic employment of Thai workers and found unlawful practices in nine, resulting in license suspensions of eight agencies and the revocation of one agency's license. It initiated prosecutions against 287 illegal brokers (108 in 2016) under the Employment and Job-Seeker Protection Act. The government continued to grant citizenship to stateless persons in 2017 and issued a new regulation to provide legal residency to orphaned and non-Thai children born in Thailand. In an effort to prevent trafficking of children, child advocacy centers provided social service interventions, including acute care needs, to children vulnerable to exploitation, and childcare was offered at a service center for fishermen. MSDHS and MOL operated hotlines with operators fluent in 20 foreign languages; the MSDHS hotline received 172 calls related to possible trafficking cases in 2017 (269 in 2016), leading to the identification of 109 child and 63 adult victims and prosecution of 73 cases. MSDHS increased the number of available hotline interpreters to 68 in 2017.

Critical gaps in Thailand's labor laws preventing migrant workers from forming labor unions may have contributed to exploitation. In addition, NGOs and international organizations widely reported the government did not adequately enforce the application of minimum wages in sectors with a minimum wage and lacked legislation to require minimum wages in other sectors, especially in those sectors with high employment of migrant workers. Some also reported gaps in Thai policies related to migrant workers that exacerbated exploitation, such as no requirement that employment contracts be written in both Thai and workers' languages, lack of clear guidance to measure work and rest hours for workers aboard fishing vessels, and difficulty for workers to change employers. In June 2017, the government issued a royal ordinance concerning management of foreign worker employment, which required additional registration requirements for migrant workers and their employers, and strengthened penalties for employers of undocumented workers. However, the sudden announcement of the ordinance resulted in mass departures of thousands of undocumented workers who subsequently may have become vulnerable to exploitation. Following criticisms from stakeholders, the government delayed implementation of the decree until June 2018 to seek stakeholder input on amendments of the decree, as well as to allow migrant workers more time to obtain the necessary documents for legal employment under the decree. The government facilitated the establishment of 14 service centers in Thailand, in coordination with the governments of Burma, Cambodia, and Laos, to conduct nationality verification for undocumented migrant workers. The cabinet subsequently approved an amended decree in March 2018, adding protections for workers such as prohibiting the confiscation of identity documents, banning sub-contracted employees, and easing the ability for workers to change employers, which remained widespread concerns during the reporting period. In October 2017, DLPW required employers in the fishing sector to pay workers monthly through bank transfers.

A government decree required migrant worker recruitment agencies to apply for a license and pay a deposit fee applied toward a foreign worker employment fund; unregistered agencies were liable to three years imprisonment and fines up to 60,000 baht ($1,840). Employers were also mandated to cover costs (excluding personal expenses such as passports, medical checks, and work permits) associated with bringing migrant workers to Thailand and back to their home countries when employment ends, such as recruitment fees and transportation costs. In 2017, 101 migrant worker recruitment agencies were licensed and the government inspected 97 agencies; the government prosecuted one agency in violation of the decree and imposed a fine of 20,000 baht ($610). While the number of migrant workers entering Thailand through formal government-to-government migration systems increased, greater usage of this mechanism continued to be impeded by lack of information, lengthy processing times, difficulties in changing employers, and high costs tied to corruption on both sides of the border. The government operated three post-arrival centers to assist migrant workers entering Thailand through these formal channels, as well as 10 migrant workers assistance centers; these centers assisted 345,204 workers in 2017 (105,647 in August 2016 to February 2017) by providing resources in multiple languages, including for trafficking awareness, and assisting the migrant workers to register with the government.

The Ministry of the Interior and Ministry of Justice inspected 11,268 "high-risk" adult entertainment venues and ordered 268 to cease business activities for five years; these inspections led to the prosecution of eight trafficking cases. DPLW conducted 1,693 labor inspections at high-risk workplaces, including sugarcane farms, garment factories, shrimp and fish processing facilities, pig farms, and poultry farms in 2017, finding 191 violations resulting in 12 prosecutions. In February 2017 the government called all Thai fishing vessels operating outside Thai waters back to port where they were put under close monitoring; the government had not authorized these vessels to continue fishing by the end of the reporting period. CCCIF, the Department of Fisheries, DLPW, and other relevant agencies developed a manual on SOPs for labor inspections to be conducted after the government reauthorizes Thai vessels to operate outside Thai waters. In addition, the government required fishing vessels operating within Thai waters to return to ports every 30 days for inspections.

The government continued to screen for trafficking indicators among fishermen returning to Thailand and on fishing vessels in Thai waters, as well as among workers in seafood processing facilities. The CCCIF operated 32 PIPO centers plus

19 additional forward inspection points, which performed inspections at port, at sea, and on land to verify whether fishing vessels were operating legally and workers had contracts, work permits, and identity documents. The government increased the number of PIPO inspection teams from 64 to 85. MOL conducted inspections onboard 644 vessels in 2017 and found 34 violations of the law (15 in 2016); three cases were prosecuted as a result. In addition, the Royal Thai Navy conducted 3,927 on board inspections of fishing vessels in 2017 and suspended 110 vessels from operating for legal violations. However, the government did not report whether any of these inspections resulted in the identification of trafficking victims, and NGO observers asserted both at-port and at-sea inspections conducted by multidisciplinary teams of the CCCIF were conducted too quickly, in front of ship captains or in open settings, with inconsistent methods in different ports, or by interpretors without the presence of labor inspectors; and in some cases, inspections consisted only of a review of documents or inspectors did not board vessels or speak to crewmembers. Civil society and government officials expressed concerns that due to varying levels of enforcement at PIPO centers, some boat captains chose ports where inspections and enforcement were weaker. Some NGOs reported workers faced retaliation if they reported abuse to inspection teams, and asserted potential victims did not to report abuses to avoid long shelter stays which could result in financial or personal hardships. In 2017 the multidisciplinary teams of the CCCIF inspected 358 on-land seafood processing workplaces and found 142 cases of law and labor violations. The government issued administrative orders to suspend business operations for nine workplaces for 10 to 30 days. The government did not report how many of these violations had direct ties to trafficking.

The government took steps to decrease the demand for commercial sex acts, including by investigating and prosecuting offenders who purchased children for commercial sex acts. To discourage child sex tourism, the government reported it denied entry to 74 known foreign sex offenders. The government developed and launched a video shown on flights entering Thailand discouraging sex tourism. The Ministry of Tourism distributed more than 315,000 brochures discouraging sex tourism to businesses and tourism professionals and organized trainings for 800 local government officials, tourism sector workers, students, youth, and civil society organizations on prevention of child sexual exploitation in the tourism industry.

TRAFFICKING PROFILE

As reported over the past five years, Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Labor trafficking victims are exploited in commercial fishing and related industries, the poultry industry, manufacturing, agriculture, and domestic work, or forced into street begging. Thailand's commercial sex industry remains vast, increasing vulnerabilities for sex trafficking. Women, men, boys, and girls from Thailand, other Southeast Asian countries, Sri Lanka, Russia, Uzbekistan, and some African countries are subjected to labor and sex trafficking in Thailand. Thailand is also a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma subjected to sex trafficking and forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe.

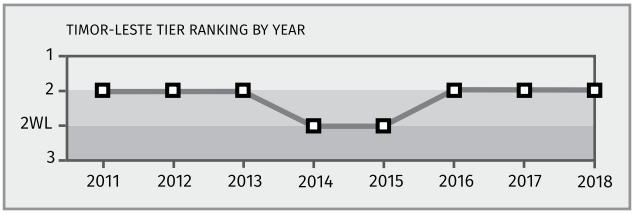
Thai nationals are subjected to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotels, and private residences. Children in orphanages are vulnerable to exploitation, including trafficking. Some parents or brokers force children from Thailand, Cambodia and Burma to sell flowers, beg, or work in domestic service in urban areas. As recently as 2015, there were reports of separatist groups in southern Thailand recruiting and using children to commit acts of arson or serve as scouts. Instances of trafficking, migrant smuggling, abduction, and extortion of migrants occur as migrants move between Thailand and neighboring countries. Traffickers, including some registered and unregistered labor brokers of Thai and foreign nationalities, bring foreign victims into Thailand through both formal migration and smuggling routes and serve as intermediaries between job-seekers and employers. Some brokers charge substantial fees or collaborate with corrupt law enforcement officials, and some Thai and migrant workers incur significant debts to obtain employment and are subjected to debt bondage. There are reports that some brokers and employers continue to confiscate identity documents. Thai men and women who migrate overseas also rely on registered and unregistered labor brokers to facilitate acquisition of low-skilled contract work or agricultural labor and are sometimes subjected to conditions of forced labor and debt bondage. Trafficking in the fishing industry remains a significant concern. Thai, Burmese, Cambodian, Vietnamese, and Indonesian men and boys are subject to forced labor on Thai and foreign-owned fishing boats. Some remain at sea for several years, are paid very little or irregularly, work as much as 18 to 20 hours per day for seven days a week, and are reportedly threatened, physically beaten, drugged to work longer, and even killed for becoming ill, attempting to escape, or disobeying orders. Some trafficking victims in the fishing sector had difficulty returning home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel.

Corruption continues to undermine anti-trafficking efforts. Some government officials are directly complicit in trafficking crimes, including through accepting bribes or loans from business owners and brothels where victims are exploited. Credible reports indicate some corrupt officials protect brothels and other commercial sex venues from raids and inspections and collude with traffickers. Migrant workers, especially those who are undocumented, are fearful of reporting trafficking crimes and cooperating with authorities due to lack of awareness of their rights and minimal protections both in Thailand and in countries of origin and a general fear of authority that may stem from their country of origin or their experience in Thailand. Some government officials profit from bribes and direct involvement in the extortion and exploitation of migrants. Some of these migrants are kidnapped and held for ransom, which increases their vulnerability to sexual servitude, forced labor, or debt bondage.

TIMOR-LESTE: TIER 2

The Government of Timor-Leste does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Timor-Leste remained on Tier 2. The

government demonstrated increasing efforts by investigating and prosecuting more trafficking cases, identifying significantly more victims, and pursuing criminal charges against a complicit official. However, the government did not meet the minimum standards in several key areas. The government did not obtain any convictions for trafficking offenses for the fifth consecutive year. Efforts to establish a standard operating procedure on victim identification were incomplete at the end of the reporting period. Authorities charged some suspected trafficking victims with immigration violations and confiscated their passports. Authorities also detained and deported without proper screening dozens of foreign women who may have been subjected to sex trafficking while working in establishments suspected of forced prostitution. Shelters upon which the government relied for victim protection were largely unable to provide adequate accommodations due to space constraints.



RECOMMENDATIONS FOR TIMOR-LESTE

Adequately fund law enforcement agencies to conduct thorough investigations of trafficking offenses, proactively initiate prosecutions, and convict and punish traffickers, including complicit officials, in accordance with new anti-trafficking legislation; strengthen efforts to ensure victims do not face arrest, deportation, or other punishment for acts committed as a direct result of being subjected to trafficking; finalize, implement, and train officials on formal procedures for victim identification among vulnerable populations, such as individuals in prostitution, domestic workers, and migrant workers on fishing vessels, and ensure proper screening procedures are employed upon detention or prior to initiating deportation; increase measures to reduce demand for commercial sex acts; increase resources for protective services focusing on trafficking victims, and establish and train officials on standard operating procedures to ensure victims are consistently referred to appropriate care; conduct training for prosecutors and judges, including on how to integrate victim protection throughout the duration of court proceedings; finalize data collection procedures through the Interagency Trafficking Working Group; and increase anti-trafficking education and awareness campaigns for the public.

PROSECUTION

The government increased law enforcement efforts. Articles 163 and 164 of the criminal code criminalized sex and labor trafficking and prescribed penalties of eight to 25 years imprisonment, penalties which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. In February 2017, the government promulgated the Law on Preventing and Combating Human Trafficking to amend the criminal code, extending criminal liability for trafficking to "legal persons," such as corporations. The law prescribes fines, judicial dissolution, and asset forfeiture as penalties, and authorizes compensation of victims.

The government reported it investigated 267 unconfirmed victims of trafficking—a significant increase from 176 in 2016. It confirmed nine of these as genuine trafficking cases, a significant decrease from 79 in 2016. Authorities initiated two prosecutions, a decrease from 16 in 2016. For the fifth consecutive year, the government did not obtain any convictions. The government reported initiating an investigation of an immigration official, allegedly complicit in facilitating labor trafficking of Bangladeshi workers. Authorities put the official on administrative leave and referred the case to the prosecutor's office.

The government reported it did not have the capacity, expertise, or financial resources to train law enforcement or local leaders on trafficking and victim identification. In the past, police officers reported using their personal funds to pursue trafficking investigations due to inadequate resource allocation from the government. Foreign government funding provided training for 21 Timorese judges on the new human trafficking law in August 2017. The Ministry of Justice conducted efforts to socialize the new trafficking law among judges in four districts.

PROTECTION

The government maintained efforts to protect victims. Among the 267 unconfirmed trafficking victims identified, the national police confirmed and referred nine—all sex trafficking victims—to short-term shelter and protective services run by a local NGO. This was a decrease from 21 in 2016. The government did not report providing any protective services directly to victims. The Ministry of Social Solidarity (MSS) had technical officers in the field in each of the 13 districts and the national police had 97 investigators in local communities as part of its victim protection unit to help identify victims. The standard operating procedure for victim identification used by police consisted of 25 questions that determine whether a case was human trafficking. Through foreign government funding, a local NGO provided victim identification training to local leaders in two target districts (Oecusse and Dili).

The government allocated an unknown amount of funds to three NGOs to provide psycho-social and shelter services to trafficking victims. However, an international organization assessed access and quality to victim care as poor. The MSS stated it provided services to both men and women; however, a local NGO noted the logistical challenges of effectively serving male victims since the government was using the existing domestic violence infrastructure to assist victims, which tends to provide more services to women. Adult victims may leave shelters unattended.

The government's referral system employed MSS field staff to receive tips from local communities and coordinate with police and NGOs, which reported improved cooperation through the referral network. An unknown number of victims received vocational training, legal assistance, or reintegration support from NGOs, some of which received government funds. According to immigration officials, police, and media sources, foreign women in prostitution—many of whom were possible victims of sex trafficking—were sometimes detained en masse during law enforcement raids and deported without proper screening, or as a result of arresting officers' inability to derive pertinent information from the women due to their having been coached to provide identical accounts. Law enforcement reported karaoke bar owners confiscated the passports of foreign workers and only surrendered them if the police ordered the foreign workers' deportation. Authorities also charged some suspected victims with immigration violations, after which they appeared at initial court hearings and were made to forfeit their passports to secure their reappearance. Authorities believed

this arrangement pushed some of the victims to return to their offending places of work rather than face deportation. The government did not provide foreign victims with alternatives to their removal to countries where they may face hardship or retribution, and the government did not report assisting in the voluntary repatriation of any victims.

The February 2017 Law on Preventing and Combating Human Trafficking provided extensive protections for victims, including those specific to victims testifying in criminal cases. The new law also authorized a period of reflection and potential residence permits to foreign victims as well as voluntary repatriation of Timorese victims from abroad. However, the government did not complete implementing regulations for the new law. Foreign workers in forced labor or sex trafficking were not necessarily identified as being victims since workers were often charged with visa violations based on immigration investigations. In 2017, immigration authorities deported without screening for trafficking indicators 735 irregular migrants for violation of the migration and asylum law.

PREVENTION

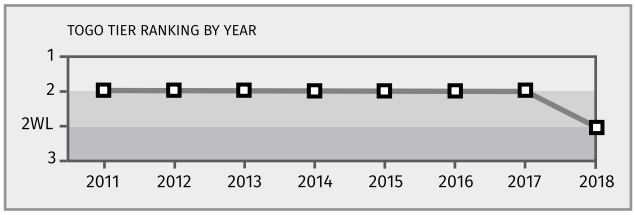
The government maintained efforts to prevent trafficking. The government did not conduct research to assess the trafficking problem in the country, nor did it systematically monitor its anti-trafficking efforts, but it established a sub-working group tasked with data collection. While the interagency trafficking working group met several times throughout the year, the government had not yet approved the proposed $4 million, three-year budget to effectively implement the national action plan. According to the government, Timor-Leste entered into bilateral government-to-government labor migration agreements to protect Timorese laborers from exploitation abroad. There was only one recognized recruiting agency in Timor-Leste. The government did not conduct awareness-raising campaigns and did not maintain an anti-trafficking hotline. The government conducted anti-trafficking trainings for its diplomats in partnership with IOM. It did not take measures to reduce the demand for forced labor or commercial sex.

TRAFFICKING PROFILE

As reported for the last four years, Timor-Leste is a source and destination country for men, women, and children subjected to forced labor and sex trafficking, and is a source for women and girls sent to Indonesia and other countries for domestic servitude. Timorese women, girls, and occasionally young men and boys from rural areas are led to the capital with the promise of better employment or education prospects and are subjected to sex trafficking or domestic servitude; there were reports of official complicity in these practices. Timorese family members place children in bonded household and agricultural labor, primarily in domestic rural areas but also abroad, to pay off family debts. Foreign women, including those from Southeast Asia, are vulnerable to sex trafficking in Timor-Leste. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates, and they appear to rotate foreign victims of sex trafficking in and out of the country for the length of a 90-day tourist visa in order to avoid raising suspicions or calling attention to the crime through visa overstay violations. Police accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally, and in prior years have been identified as clients of commercial sex venues investigated for suspected trafficking. In 2017, there was an increase of potential trafficking cases involving foreign fishing vessels. During raids on vessels in September, the crews reported they were not paid or fed. In December, Indonesia captured a fishing vessel that was previously in Timor-Leste waters, and the crew made similar complaints about the labor conditions onboard. The government reported there is likely forced labor on construction sites.

TOGO: TIER 2 WATCH LIST

The Government of Togo does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by identifying more trafficking victims—which for the first time in at least five years included adults. The government decreased its number of trafficking convictions from the previous reporting period, and suspended public awareness raising activities due to a lack of funding. The government did not report efforts to refer or directly assist trafficking victims. Therefore Togo was downgraded to Tier 2 Watch List.



RECOMMENDATIONS FOR TOGO

Increase efforts to prosecute, convict, and punish traffickers, especially those involved in the trafficking of adults and forced labor of children using the amended penal code; develop and implement standard operating procedures (SOPs) for law enforcement officers, immigration officials, social welfare personnel, as well as labor inspectors to identify and refer trafficking victims, including both adults and children and those victimized within Togo; develop a system among law enforcement and judicial officials to track and report on human trafficking investigations and prosecutions, as well as victim assistance; enact anti-trafficking legislation that includes provisions for victim protection; develop and implement a national action plan that incorporates adult victims, and increases coordination with NGOs and regional organizations; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

PROSECUTION

The government decreased law enforcement efforts. Articles 317 through 320 of the penal code, revised in 2015, criminalized sex and labor trafficking and prescribed penalties of 10 to 20 years imprisonment and fines between 10 million and 50 million West African CFA franc (FCFA) ($17,780 and $88,920); these penalties were sufficiently stringent, and with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government reported investigating and prosecuting eight cases involving eight alleged traffickers. Authorities convicted seven of the eight suspects under articles 317 through 320 in the revised penal code in 2017, compared with 101 investigations and 60 convictions of traffickers in 2016. The government did not report any investigations, prosecutions, or convictions of

government officials complicit in human trafficking offenses. Experts reported judges were often reluctant to convict or fine parents who subjected their children to trafficking, as they felt it would exacerbate the economic situation that drove a parent to commit the crime. NGOs reported that the 2015 revised penal code's more stringent penalties aggravated these concerns amongst law enforcement officials and judges, and may have led to decreased arrests and prosecutions for trafficking crimes. The government provided written instruction materials on victim identification to its law enforcement and immigration officials through the course of their basic training.

The government cooperated with the Governments of Benin, Ghana, and Nigeria under a joint agreement on the control and monitoring of borders to prevent child trafficking, repatriate victims, and extradite traffickers. Additionally, the government cooperated with all west African states under the West African Multilateral Accord and with all west and central African states under the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central Africa. These partnerships resulted in increased regional anti-trafficking coordination and planning efforts.

PROTECTION

The government marginally increased protection efforts. In 2017, authorities identified 126 victims of trafficking, compared to 99 child victims identified during the previous reporting period. For the first time in over five years, law enforcement officials identified four adult victims. The government did not compile comprehensive victim identification and protection statistics, and did not report the number of victims referred to care facilities or provided assistance. The government remained without SOPs for use by officials in the identification and referral of trafficking victims, including both adults and children, and those victimized within Togo. For the first time, the government provided victim identification training to law enforcement and immigration officials.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, Allo 10-11, which received more than 50,000 calls in 2017 regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children, Togo's national anti-trafficking committee comprising government officials and NGOs, continued to operate jointly with the police an ad hoc referral system to respond to hotline tips.

The government reported limited direct provision of services to victims during the reporting period. The government assisted in the repatriation of, and provided services for, transnational child trafficking victims. The government provided these victims with health services, food, and lodging during their reintegration and reunited them with their families. MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while another shelter, CROPESDI, provided shelter, legal, medical, and social services to child victims up to age 14. The government did not report whether these shelters assisted child trafficking victims during the reporting period or provide details on its budget for victim assistance and protection. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their countries of origin. The government did not have a formal process to encourage victims' participation in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. There were no reports of child victims being penalized for unlawful acts committed as a direct result of being subjected to trafficking.

PREVENTION

The government maintained efforts to prevent trafficking in persons. The government coordinated its counter-child trafficking efforts and dissemination of information through MSA's Anti-Trafficking in Persons Cell, previously the National Committee for the Reception and Social Reinsertion of Trafficked Children. The Anti-Trafficking in Persons Cell convened frequently during the year, and acted as a central hub of information and tracked statistics on trafficking of children in Togo, including the repatriation of child victims; however, data collection and reporting remained weak during the reporting period and the government had not updated its anti-trafficking national action plan since 2008. The government employed a network of vigilance committees in nearly every village in the country to provide education on trafficking and report cases to the government, although the effectiveness of these committees varied greatly. The government did not report efforts to raise public awareness of trafficking.

During the reporting period, the Ministry of Grassroots Development partnered with an international organization to launch a microfinance enterprise that provided 5,000 FCFA ($8.89) per month to families with children via a mobile phone payment. Togo is a low-income country, and the government designed this program to alleviate the economic conditions that motivate many internal cases of child trafficking, and reached nearly 30,000 families in 2017. The government plans to increase the reach of the program to 120,000 over the next three years.

The government employed 191 labor inspectors across all five regions during the reporting period, an increase from 167 inspectors from the previous year. Despite the increase, there were still too few inspectors compared to the scale of child labor in the country, much of which could constitute trafficking, according to Togo's law. An NGO reported inspectors often did not address obvious cases of child labor in large, open-air markets in urban centers. During the reporting period, the government identified 66 children in child labor, including potential trafficking victims, compared with 246 in 2016. The government did not regulate foreign labor recruiters. The government worked to reduce the demand for forced labor through the continuation of a program partnering with 30 traditional religious leaders to eliminate exploitation through the practice of religious "apprenticeships"—a practice in which children are entrusted to religious leaders who exploit them in forced domestic work, or, in some cases, sexual slavery when parents are unable to pay school fees. The government distributed birth certificates with the assistance of NGOs; the lack of identification documents increased vulnerability to trafficking in persons.

During the reporting period, the government coordinated with the Economic Community of West African States and an international organization to synchronize regional and country-level anti-trafficking national action plans through the Free Movement of Persons & Migration program, which included a component focused on populations vulnerable to human trafficking. Officials continued to cooperate in regional anti-trafficking coordination and planning efforts with Benin, Ghana, and Nigeria on border control efforts and with the West African Multilateral Accord and the Multilateral Cooperation Agreement to Combat Trafficking in Persons in West and Central

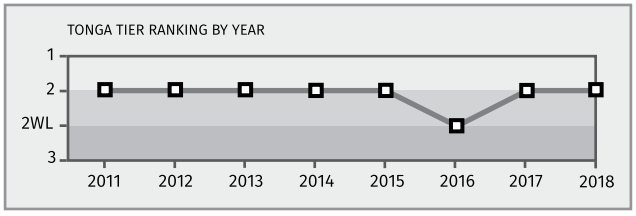
Africa. The government did not take any discernible measures to reduce the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Togo is a source, transit and, to a lesser extent, destination country for men, women, and children subjected to forced labor and sex trafficking. The western border of the Plateau region, which provides easy access to major roads leading to Lome, and Accra, Ghana, was a primary source for trafficking victims during the reporting period. Most Togolese victims are children exploited within the country due to high levels of poverty. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries, where children and adults break rocks by hand. Traffickers bring children from rural areas in the north and central regions to Lome, where they are subjected to forced labor as domestic servants, roadside vendors, and porters, or exploited in child sex trafficking. Boys are subjected to forced labor in construction, in salvage yards and mines, and as mechanics, often working with hazardous machinery. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Girls from Ghana are exploited in sex trafficking in Togo. Togolese boys and girls are transported to Benin, Cote d'Ivoire, Democratic Republic of the Congo, Gabon, Ghana, and Nigeria and forced to work in the agricultural sector. From September to April, many Togolese adults and children migrate in search of economic opportunities to Benin, Burkina Faso, Niger, and Mali, where many are subjected to labor and sex trafficking. In Nigeria, Togolese men are subjected to forced labor in agriculture and Togolese women are exploited in domestic servitude. Togolese women have been fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subjected to domestic servitude or forced prostitution.

TONGA: TIER 2

The Government of Tonga does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Tonga remained on Tier 2. The government demonstrated increasing efforts by providing increased funding for an NGO available to assist trafficking victims and training new police recruits on victim identification and trafficking investigations. However, the government did not meet the minimum standards in several key areas. Authorities did not conduct any new trafficking investigations, develop procedures to proactively identify victims, or effectively coordinate governmental anti-trafficking efforts.



RECOMMENDATIONS FOR TONGA

Develop and fully implement procedures for proactive identification of trafficking victims among vulnerable groups; increase efforts to investigate and prosecute trafficking crimes; amend trafficking laws to criminalize the full scope of trafficking crimes, including offenses lacking cross-border movement; utilize the Asian liaison position to facilitate proactive identification of foreign victims and their referral to care; develop a national action plan; provide explicit protections and benefits for trafficking victims, such as restitution, legal and medical benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained law enforcement efforts. Tongan law did not criminalize all forms of trafficking because it required transnationality to constitute a trafficking offense. Additionally, inconsistent with the definition of trafficking under international law, the law did not include force, fraud, or coercion as an essential element of the crime. The law prescribed penalties of up to 15 years imprisonment for trafficking offenses involving adult victims and 20 years imprisonment for offenses involving children; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. Since convicting its first trafficker in April 2011, the government has not prosecuted any trafficking cases. The government continued investigating a case involving Bangladeshi men smuggled to Tonga under fraudulent promises of work as a trafficking case, however, evidence indicated the men were victims of fraud but were not subjected to forced labor. Similar to the previous year, the government did not initiate any other trafficking investigations during the reporting periods. The Tongan police force provided human trafficking training to new police recruits. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government maintained efforts to protect trafficking victims. The government identified no trafficking victims during the reporting period. The government did not develop or employ systematic procedures for victim identification among at-risk groups, such as migrant workers or women in prostitution. The government continued providing victim identification trainings for law enforcement. Tongan police utilized an Asian liaison officer trained to speak Mandarin Chinese to engage with Chinese citizens living in Tonga who may be vulnerable to trafficking. The government provided 60,000 pa'anga ($28,380) to an NGO for operations to assist women and children victims of crime, including shelter, counseling, and legal services, an increase from 50,000 pa'anga ($23,650) in 2016. Although none were identified, adult female and child victims of trafficking would be eligible for these services. The government had procedures to refer victims of crime, including potential trafficking victims, to the NGO. There were no shelter facilities available to male victims older than 15 years old. Under the immigration act, the principal immigration officer had broad discretionary authority to grant trafficking victims permits to stay in the country for any length of time necessary for their protection. Victims could be granted asylum in Tonga if they feared retribution or hardship in their country of origin, although no trafficking victim has ever requested asylum. Victims could file civil cases against their traffickers. There were

no reports officials penalized trafficking victims for unlawful acts committed as a result of being subjected to trafficking.

PREVENTION

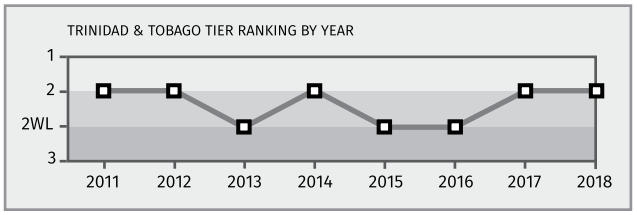
The government maintained efforts to prevent human trafficking. The government's human trafficking task force led anti-trafficking efforts alongside the transnational crime unit of the police force. The government did not develop a national action plan to combat trafficking or conduct awareness campaigns. The lack of a national action plan or formal interagency policies reportedly hindered governmental anti-trafficking coordination. Authorities provided briefings to Tongans participating in seasonal worker programs overseas, which included information on workers' rights. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. Tonga is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, Tonga is a source and destination country for men, women, and children subjected to sex and labor trafficking. East Asian women, especially those from China, are exploited in prostitution in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Some Tongan women and children are reportedly subjected to involuntary domestic servitude. Reports indicate Fijians working in the domestic service industry in Tonga experience mistreatment indicative of trafficking. Tongan adults working overseas, including in Australia and New Zealand, are vulnerable to exploitation, including through withholding of wages and excessive work hours. Some workers are rushed to sign employment contracts and may not fully understand employment terms; others are unable to retain copies of their contracts, exacerbating the potential for employers to exploit these workers.

TRINIDAD AND TOBAGO: TIER 2

The Government of Trinidad and Tobago does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Trinidad and Tobago remained on Tier 2. The government demonstrated increasing efforts by expanding authorities to collect intelligence on trafficking crimes and creating new task forces on intelligence gathering and prosecution to increase law enforcement's ability to investigate and prosecute trafficking cases. It also doubled the budget for its anti-trafficking unit, increased anti-trafficking training for its officials, and initiated prosecution of a complicit official. However, the government did not meet the minimum standards in several key areas. The government experienced continued delays in prosecutions and had yet to secure a conviction under its anti-trafficking law. The government decreased the amount of funding for victim services. The government did not have policies or laws regulating foreign labor recruiters.



RECOMMENDATIONS FOR TRINIDAD AND TOBAGO

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and staff; increase proactive victim identification and screen among migrant populations; provide adequate funding for robust victim services, including accommodation; improve regulation of private labor recruitment agencies; increase training on trafficking for shelter staff; increase funding and services for language interpreters available to law enforcement and victim care; increase the ability to accept victim video testimony in court proceedings; increase the use of intelligence in trafficking investigations; and consider adding NGO representation to the anti-trafficking task force.

PROSECUTION

The government increased law enforcement efforts. The Trafficking in Persons Act of 2011 criminalized sex and labor trafficking and prescribed penalties of 15 years to life imprisonment and no less than 500,000 Trinidad and Tobago dollars (TTD) ($75,410), which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government's anti-trafficking unit investigated 38 possible cases of trafficking, compared with 46 cases in 2016 and 53 in 2015. Additionally, organizations such as the police, the Counter-Trafficking Unit (CTU), and the health, immigration, and labor ministries coordinated and executed 20 joint anti-trafficking operations on suspected brothels. The government initiated the prosecution of two suspects under the anti-trafficking law (five in 2016, five in 2015, and one in 2014). Additionally, two previously charged traffickers had hearings before the magistrate court and were committed to stand trial in high court. A total of 14 persons were before the magistrate's court at the close of the reporting period; these cases were awaiting completion of preliminary inquiries. The government had not yet convicted an individual under its 2011 anti-trafficking law. The government created a new task force led by the Attorney General's Office focused on advancing prosecutions to trial.

To further combat human trafficking, the government is in the planning stages for the creation of a new intelligence-led task force, coordinated by the Attorney General's Office, comprising officials from the police, Defense Force, Strategic Services Agency, and the CTU. During the reporting period, the government amended its Strategic Services Agency Act to include trafficking under the category of "serious crimes," for which intelligence is collected, which expanded the government's capacity to identify possible cases. The government provided 7 million TTD ($1.1 million) to the CTU for fiscal year 2017-2018, compared to 3 million TTD ($452,490) for 2016-2017 and 8 million TTD ($1.2 million) for 2015-2016. During the reporting period, the CTU experienced a large personnel rotation, ultimately involving more than 60 percent of its personnel. This resulted in a delay in investigations due to officer training and awareness with the cases on file. During the reporting period, the CTU charged one person, a CTU employee, with trafficking. The government collaborated with Interpol on investigations of four potential trafficking cases. The CTU provided a sensitization training to

16 judges on preventing re-traumatization of trafficking victims. The government collaborated with and provided in-kind support for an international organization to deliver anti-trafficking training to 26 prosecutors and 25 immigration officers.

PROTECTION

The government increased protection efforts. The government identified and referred 14 trafficking victims to care (13 in 2016, five in 2015, and eight in 2014). The 14 victims included one male minor and two adult males exploited for labor trafficking and one female minor and nine adult females exploited for sex trafficking. The victims originated from Venezuela, Bolivia, and Trinidad and Tobago. All victims identified were referred to care facilities for assistance; six victims were repatriated. All victims assisted with criminal investigations and received permits that allowed them to legally stay and work in the country; two victims were employed legally. The CTU spent approximately 198,900 TTD ($30,000) on victim care and protection, compared to 700,000 TTD ($105,580) in 2016 and 1 million TTD ($150,830) in 2015 and 2014. The government provided additional funding to NGO care providers through the Ministry of Social Development and Family Services.

The government, working primarily through the CTU, the children's protective services agency, and the Office of the Prime Minister's Gender and Child Affairs Office provided victim care services, sometimes in conjunction with local NGOs. The services provided by the government included free short- and long-term accommodation and food, counseling, medical services, provisions for overseas phone calls, language interpretation, and local transportation, as well as clothing, toiletries, and a travel bag. Other assistance available included pre-natal and post-natal care, psychological evaluations, testing for sexually transmitted diseases, access to library facilities, some job skills training, and overseas travel expenses related to repatriation. The government was also prepared to offer sign language and other disability services to victims. Adult female victims of trafficking were housed at domestic violence shelters run by vetted NGOs who worked with the CTU; registered shelters received government funding to house these victims. Adult male victims were placed at safe houses run by the security services. Child victims were housed in homes run by the child protective services agency. In 2016, the CTU acquired a property to establish a dedicated shelter for male and female victims; the government did not report progress in establishing this shelter. Experts noted working-level staff at NGOs and shelters would benefit from training on trafficking. The government finalized an agreement and standard operating procedures with the child protection services agency and with the shelters on trafficking victim care.

Victims housed in NGO-run shelters were allowed freedom of movement after an initial security assessment by the government; however, victims housed in domestic violence shelters were not permitted to leave unchaperoned or at will. However, some experts reported some trafficking victims left the shelters voluntarily. Language interpretation services were available for counseling sessions and police interviews; however, experts reported shelters did not have bilingual staff or volunteers. In addition, some government officials noted a shortage of certain interpreters available to assist with foreign national victim care and testimony. During the reporting period, court proceedings were being upgraded to accept video testimony; however, only written testimony could be used with the consent of the defense. Prosecutors noted defense attorneys rarely waived their right to cross-examination. The CTU provided 24/7 security for victims who participated in court proceedings.

PREVENTION

The government increased efforts to prevent trafficking. The CTU, under the Ministry of National Security, was the lead entity for anti-trafficking efforts. The National Task Force Against Trafficking in Persons was the national coordinating body. Some experts recommended the government add NGO representation to the ministerial task force to strengthen government-NGO partnerships and receive more NGO input into government decision-making. The government continued implementation of the 2016-2020 national plan of action. The plan had a monitoring and evaluation component involving quarterly and annual reports that were presented to parliament and available via open hearings. The labor ministry (MOLSED) and the CTU developed procedures for joint investigations and for the referral of suspected cases of trafficking. The government conducted a series of awareness campaigns in public education and information fairs, targeting police recruits, teachers, youth and young adults, and indigenous peoples. The government launched bilingual awareness campaigns, aimed at Spanish-speaking migrants, at the international airport. MOLSED also conducted radio and television announcements on child labor and the rights of domestic workers. The government made modest efforts to reduce the demand for commercial sex acts by developing public service announcements targeting the buyers of commercial sex. The government operated two hotlines, a national trafficking hotline and a national domestic violence hotline, that could receive human trafficking reports. The Ministry of National Security also funded anti-trafficking training for 20 defense officers, 30 air guard officers, 20 labor inspectors, and 77 airport authority and law enforcement staff. The CTU worked with an international organization to conduct training and sensitization to law enforcement, immigration, and social workers, to assist in the identification of potential trafficking victims.

There were no specific laws regulating private labor recruitment agencies; however, the government's National Employment Service (NES) provided free assistance and information to job seekers and worked with the labor inspections unit to monitor contracts for work permits and recruitment practices to ensure consistently with labor laws. The MOLSED oversaw the recruitment process for the Caribbean Seasonal Agriculture Program, which facilitated employment on Canadian farms. Workers were provided with information about the program and officers monitored workers on the farms to prevent labor exploitation. The government provided training for diplomats.

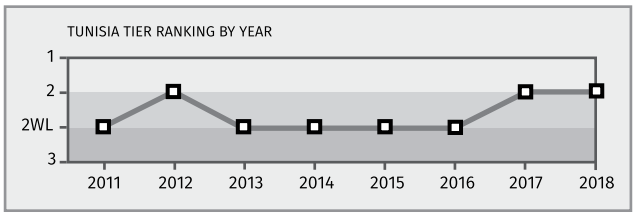
TRAFFICKING PROFILE

As reported over the past five years, Trinidad and Tobago is a destination, transit, and source country for adults and children subjected to sex trafficking and forced labor. Women and girls from the Dominican Republic, Venezuela, and Colombia are subjected to sex trafficking in brothels and clubs, often lured by offers of legitimate employment. Because of deteriorating economic conditions in their home country, Venezuelans are particularly vulnerable. LGBTI persons are vulnerable to sex trafficking. Many trafficking victims enter the country legally via Trinidad's international airport, while others appear to enter illegally via small boats from Venezuela, which is only seven miles offshore. The government reports seeing more labor traffickers from the same country of origin as their victims. Migrants from the Caribbean region and from Asia, in particular those lacking legal status, are vulnerable to forced

labor in domestic service and the retail sector. Corruption in police and immigration has in the past been associated with facilitating prostitution and sex trafficking.

TUNISIA: TIER 2

The Government of Tunisia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Tunisia remained on Tier 2. The government demonstrated increasing efforts by prosecuting traffickers under the anti-trafficking law and training judicial and law enforcement officials on application of the law. It also designated deputy prosecutors and investigative judges responsible for overseeing human trafficking cases in 27 tribunals across the country and for leading anti-trafficking training programs for judicial officials. The government improved its efforts to proactively identify trafficking victims and refer them to government-run centers for vulnerable populations and to civil society organizations, including through the establishment of an anti-trafficking hotline. However, the government did not meet the minimum standards in some key areas. The government did not finalize or institute standard operating procedures for victim identification across all relevant government agencies, nor did it formally adopt and utilize a national victim referral mechanism. Due to the lack of these procedures, some trafficking victims may have remained unidentified and therefore vulnerable to punishment for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations.



RECOMMENDATIONS FOR TUNISIA

Implement formal procedures to screen and proactively identify trafficking victims—particularly among vulnerable groups such as domestic workers, persons in prostitution, undocumented migrants, and street children—and train officials on their use; adopt and fully implement the national victim referral mechanism to ensure all trafficking victims are referred to appropriate protection services and train law enforcement and judicial authorities on appropriately referring victims to care; develop procedures to ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution and immigration violations; use the anti-trafficking law to investigate, prosecute, and convict traffickers with stringent sentences and train judicial and law enforcement officials on the law; provide adequate protection services to all trafficking victims, including appropriate shelter and rehabilitative services tailored to trafficking victims; provide funding or in-kind support to NGOs that provide care to trafficking victims; and train staff at government-operated centers for vulnerable populations to provide trafficking victims with specialized care.

PROSECUTION

The government increased its law enforcement efforts to combat trafficking during the reporting period. Tunisia's anti-trafficking law, Organic Law 2016-61, enacted in July 2016, criminalized sex and labor trafficking and prescribed penalties of 10 years imprisonment and a fine of 50,000 Tunisian dinar (TND) ($20,340) for offenses involving adult victims and 15 years imprisonment and a fine of 50,000-100,000 TND ($20,340-$40,680) for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as kidnapping. From April 2017 to January 2018, the Ministry of Interior (MOI) conducted 28 initial investigations of potential forced labor crimes and 57 potential crimes of sexual exploitation. Of these investigations, police arrested four individuals for allegedly forcing three women aged 18 to 19 into prostitution. Additionally, the Ministry of Women, Family, and Childhood (MWFC) identified 373 potential cases of child trafficking after receiving reported cases of child endangerment. As of March 2018, the MOI reported the opening of judicial investigations into 195 traffickers for forced prostitution, forced labor, and forced begging under the anti-trafficking law. The Ministry of Justice (MOJ) reported it brought 21 perpetrators to trial under the anti-trafficking law. The government convicted one female perpetrator for forced begging under the anti-trafficking law and sentenced her to one month imprisonment; however, the case remained pending at the end of the reporting period, as she absconded from authorities before serving her sentence and remained at-large. In 2017, the government reported only data that it prosecuted and convicted under the anti-trafficking law, due to the government's efforts to fully implement the law and train judicial and law enforcement officers. In comparison, in 2016, the government had not implemented the anti-trafficking law and reported prosecutions and convictions of crimes under other articles of the penal code, some of which were not trafficking crimes. Nevertheless, during the reporting period, officials reported difficulty prosecuting and convicting trafficking offenders due to lack of victim or witness testimony. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

During the reporting period, the MOJ designated a deputy prosecutor and investigative judge for each tribunal throughout the country, who were responsible for overseeing human trafficking cases and leading anti-trafficking training programs for judicial officials. In February 2018, the government, in partnership with an international organization, provided training for 24 judges who were chosen to be the trafficking experts and primary points of contact within these tribunals. In October 2017, the MOJ also created an office to monitor and maintain statistics on human trafficking cases brought before the judiciary; this office also had the authority to conduct research on the application of the anti-trafficking law and advise the minister of justice on policies related to the implementation of the law. Throughout the reporting period, the government conducted multiple training programs for security personnel and other government officials on the anti-trafficking law, victim identification techniques, and protection services. The government also continued international cooperation with INTERPOL offices in the region to improve informational exchanges about potential trafficking cases.

PROTECTION

The government increased efforts to identify and refer trafficking victims to care. The government lacked formal

victim identification procedures, but it continued to work in cooperation with civil society groups to train key law enforcement, judicial, immigration, and social services personnel to identify victims among high-risk populations. In 2017, the Ministry of Social Affairs (MSA) continued to cooperate with two NGOs through signed agreements to assist those at risk of abuse and exploitation, including trafficking victims. Between April 2017 and January 2018, the MOI reported it identified 285 trafficking victims, including victims of sex trafficking, domestic servitude, and forced begging, as well as child victims of sexual exploitation, forced labor, and exploitation in organized crime. This demonstrated an increase in identified victims compared to the previous reporting period when the MOI identified 134 victims. Additionally, child protection specialists from MWFC identified 373 potential trafficking victims among the more than 12,000 child welfare cases they received in 2017; these cases included potential child victims of sexual exploitation, exploitation in organized crimes, and forced labor. The Ministry of Health (MOH) also identified 29 potential trafficking victims of sexual and economic exploitation and forced begging, including three foreign nationals and nine children, among patients that received services from the MOH. According to an international organization in early 2018, since the implementation of the anti-trafficking law, victims and witnesses of trafficking crimes were reportedly more willing to come forward to the authorities and seek assistance.

The government referred all 285 identified victims to protection services provided by both government entities and civil society organizations. Specifically, the MSA provided assistance and accommodation, including lodging and medical and psychological assistance, to 52 foreign and Tunisian victims of forced labor and sexual exploitation. The MOI facilitated the provision of medical services for 10 of the victims it identified, while it also provided social assistance and accommodation to seven foreign victims and 25 Tunisian child victims. The MSA continued to operate centers for vulnerable populations, including victims of trafficking, domestic violence and sexual assault, asylum-seekers, unaccompanied minors, and the homeless. Through these shelters, the government provided vulnerable groups, including trafficking victims, with lodging, food, clothing, full and free medical care, psychological services, and legal aid through a network of pro bono lawyers. Three of these centers in Tunis, Sousse, and Sfax had designated areas available for victims of all forms of trafficking. The center in Tunis held a dedicated office for male and female trafficking victims with a trained social worker and offered medical and psychological exams. This center also allowed foreign embassies access to their nationals to provide assistance, including provision of legal documents and repatriation services. In October and November 2017, the MSA—in collaboration with an international organization—provided training for shelter staff on rehabilitation and care for trafficking victims. The MSA also organized a workshop for 40 participants, including the staff from both the Sousse and Sfax shelters and civil society representatives, to build partnerships for victim assistance. An MOH-operated hospital in Tunis had a unit dedicated to caring for victims of violence and sexual violence, including victims of sexual exploitation, which offered psycho-social support, medical documentation, and legal expertise. Since 2015, personnel in this unit continued to receive trafficking victim identification training and the unit assisted some trafficking victims in 2017. Despite the government's efforts to identify, refer, and provide protection services to victims, during the reporting period, the government did not formally adopt a mechanism for the referral of trafficking victims to government-operated social centers or NGO-run shelters; however, in early 2017 the MOI adopted its own internal procedures to identify and refer victims by cooperating with civil society organizations and other government ministries. Due to a lack of systematic victim identification and referral procedures and policies, some unidentified victims may have been punished for unlawful acts committed as a direct result of being subjected to human trafficking, such as women in prostitution or illegal immigrants.

The government offered foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution; in 2017, the government granted one victim a temporary residency permit as an alternative to returning home. Trafficking victims could seek legal employment while under temporary residency status. During the reporting period, the government assisted 10 foreign trafficking victims (who were referred by an international organization) to obtain an exemption from paying overstay fees in order to leave the country. During the reporting period, the government reportedly offered all foreign trafficking victims relief from deportation and, for those who chose to return home, repatriation services. Under the anti-trafficking law, victims had the right to free legal aid to assist them in engaging in civil and criminal proceedings against their traffickers, and the government provided psychological and physical protection services to victims and witnesses of trafficking crimes.

PREVENTION

The government maintained robust efforts to prevent trafficking and launched several new initiatives. The MOJ-led and -funded national anti-trafficking commission, which included representatives from 12 ministries and experts from civil society, met several times during the reporting period. In January 2018, the minister of justice inaugurated the permanent headquarters of the national commission and announced his strong support for its work. During the reporting period, the government implemented its 2015-2017 national anti-trafficking action plan by developing several manuals and training guides for judges and security personnel, and it also continued to develop its 2018-2023 national strategy to combat trafficking. In January 2018, the government began operating a hotline to report potential trafficking cases, which was operational five days a week during regular business hours and operators spoke Arabic, French, and English. During its first week of operation, the hotline received 34 calls reporting potential cases of trafficking. Throughout the reporting period, the government conducted numerous anti-trafficking public awareness and information campaigns, at times in partnership with civil society organizations, and it also conducted awareness raising trainings for child welfare workers, social workers, psychologists, and civil society representatives. Additionally, during the reporting period, the MOI placed announcements on social media sites and newspapers to inform the public about fraudulent work contracts and forced labor.

The government reported efforts to reduce the demand for forced labor. The labor inspectorate at the MSA designated 25 labor inspectors and 24 social workers trained as specialized points of contact for child trafficking victims. To address fraudulent labor recruitment practices, the Agency for Placement Abroad in Private Establishments (EPPA), a governmental agency, filed complaints with the MOI against 17 private employers for cases of fraud, extortion, or unauthorized abuses of Tunisians employed abroad; it also took action against 30 private employers who recruited workers without proper registration with the EPPA. This demonstrated a slight increase from actions the government took against fraudulent recruitment practices

in the previous reporting period. In July 2017, the government signed a memorandum of understanding with the ILO and the largest Tunisian labor and employers' unions to promote decent work in Tunisia for 2017-2022. In September 2017, the MSA collaborated with the National Institute of Statistics, a governmental agency, to conduct a national study on child labor in Tunisia. The government maintained bilateral labor migration agreements with France and Switzerland, which contained provisions to prevent unfair labor recruitment practices and labor trafficking. During the reporting period, the government finalized a national strategy for migration, which addresses the rights of foreign migrants and Tunisian migrants abroad, and includes provisions to prevent forced labor. The government took some efforts to reduce the demand for commercial sex acts; it continued efforts over the last few years to cooperate with civil society organizations to reintegrate into the formal economy women who were formerly in prostitution in brothels.

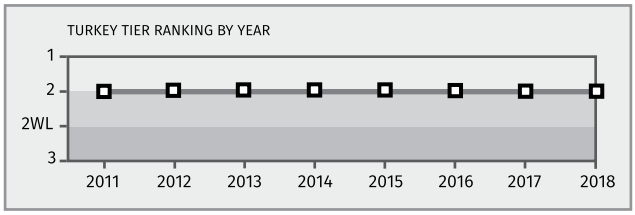
TRAFFICKING PROFILE

As reported over the past five years, Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. In 2017, the government observed an increase in child victims of sexual violence and exploitation, some of whom are victims of trafficking. According to a baseline study published in 2013, conducted by the Tunisian government and an international organization, Tunisian youth are subjected to various forms of trafficking. According to the study and as reported by other experts since 2016, some Tunisian girls work as domestic servants for wealthy families in Tunis and major coastal cities; they are highly vulnerable to trafficking, experiencing restrictions on movement, physical and psychological violence, and sexual abuse. International organizations report a continued presence of street children selling goods on street corners and rural children working in agriculture to support their families in Tunisia; these children are vulnerable to forced labor or sex trafficking. Tunisian security officials report that organized gangs force street children to serve as thieves and beggars and transport drugs. According to experts, in 2017 Tunisian children—many of whom have dropped out of school and are between the ages of 11 and 12 years old—are observed working in small workshops, auto mechanic garages, and domestic work; some of these children may be vulnerable to trafficking. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, United Arab Emirates, and Jordan.

Foreign migrants are particularly vulnerable to sexual exploitation, domestic servitude, and other forms of forced labor in Tunisia. According to an NGO in 2017, foreign trafficking victims typically arrive in Tunisia on a valid tourist or student visa and remain in an exploitative situation for an average of five to 13 months, surpassing the validity of their visa. Civil society and international organizations continue to report an increase in women, primarily from West Africa and increasingly from Cote d'Ivoire, who are exploited in domestic servitude in private homes in Tunis, Sfax, Sousse, and Gabes. An NGO reported in 2017 that recruiters in Cote d'Ivoire target both well-educated and non-skilled individuals in the country with false and fraudulent promises of work in Tunisia. Well-educated Ivoirians, who pay a recruiter to assist them to find work in Tunisia, are promised jobs that do not exist upon arrival in Tunisia, held in debt bondage, and forced into domestic servitude in Tunisian households. Recruiters also target unskilled and uneducated individuals primarily from San Pedro, Cote d'Ivoire, to work in domestic work or agriculture in Tunisia; these individuals are then required to repay the transportation costs and recruitment fees upon arrival and thereby held in debt bondage by their employers. NGOs and international organizations observed in 2017 a slight increase in boys from Sub-Saharan and West Africa, including boys from Cote d'Ivoire, who are vulnerable to trafficking after accepting fraudulent offers of soccer careers in Tunisia. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking in Tunisia.

TURKEY: TIER 2

The Government of Turkey does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Turkey remained on Tier 2. The government demonstrated increasing efforts by identifying more victims and referring them to assistance. The government adopted multiple regulations that improved victim-centered prosecutions, and increased the staff of the Directorate General of Migration Management, the lead agency on combating trafficking. The government also continued cooperation with international organizations to train first responders, judges, and prosecutors. However, the government did not meet the minimum standards in several key areas. Some first responders lacked an understanding of trafficking, and there were reports of inconsistent victim identification which may have resulted in the detention and deportation of victims. Interagency coordination remained problematic, and law enforcement and judicial resources were strained as a result of dismissals of personnel under the state of emergency following the July 2016 coup attempt. Civil society remained largely excluded from anti-trafficking efforts, and specialized support services for victims were limited to a government-run shelter after several NGO-run shelters closed in 2016; critics asserted civil society's diminishing role hindered the identification and specialized care of victims.



RECOMMENDATIONS FOR TURKEY

Vigorously investigate, prosecute, and convict traffickers, including those complicit in forced labor; establish a multi-disciplinary framework for victim identification and provide specialized care for all victims, including Turkish citizens, children, and male victims; provide stable funding for shelters and expand partnerships with NGOs, and civil society representatives to better identify victims and provide specialized victim services; increase training to first responders and staff at provincial offices of the Directorate General of Migration Management on victim identification, including recognizing the signs of non-physical methods of control used by traffickers; increase proactive victim identification efforts among vulnerable populations, such as refugees and asylum-seekers, migrants awaiting deportation, Turkish and foreign women and girls in prostitution, and children begging

in the streets and working in the agriculture and industrial sectors; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including advanced training on trafficking investigations and prosecutions; allocate adequate staff and resources for law enforcement to effectively combat trafficking; improve interagency cooperation and adopt a national action plan; and make trafficking-related data, especially disaggregated statistics on victims and prosecution and convictions of perpetrators, available to the public on a regular basis.

PROSECUTION

The government maintained law enforcement efforts. Article 80 of the penal code criminalized sex and labor trafficking and prescribed penalties of up to eight to 12 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Justice (MOJ) prosecuted 41 new trafficking-related cases with 291 defendants in the first three quarters of 2017 (53 new cases with 257 defendants in the first three quarters of 2016). MOJ continued to prosecute 174 cases with 1,624 defendants from the previous year (187 cases with 1,594 defendants in 2016). Courts convicted 44 traffickers (40 in 2016); all convicted traffickers received prison sentences and 42 traffickers also received a fine. Courts acquitted 93 suspected traffickers in the first three quarters of 2017 (272 in 2016).

The Department of Combatting Migrant Smuggling and Human Trafficking (DCMH) within the Turkish National Police (TNP) conducted specialized investigations. DCMH consisted of 28 officers (50 in 2016) at headquarters and operated branches in 22 provinces. Observers reported law enforcement in some cases lacked sufficient resources to fully investigate trafficking cases involving refugees, and the OSCE reported misperceptions about trafficking among law enforcement authorities, including confusion about the distinction between trafficking and the aggravated form of encouragement of prostitution (Article 227). A lack of experience and specialization within the judiciary regarding trafficking also limited the ability and willingness to prosecute complex crimes like trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Some civil society groups remained concerned about corruption and official complicity in trafficking crimes, though authoritative evidence to corroborate or dispute these concerns remained elusive. The government, independently and in cooperation with international organizations, provided anti-trafficking training for law enforcement, coast guard, labor inspectors, social workers, and immigration officials. The government did not conduct international investigations or extradite traffickers in 2017.

PROTECTION

The government increased victim protection efforts. The government identified 303 victims (181 in 2016); 186 were victims of sex trafficking, 52 of forced labor, and 65 of forced begging (143 were victims of sex trafficking, 30 of forced labor, and eight of forced begging in 2016); 212 were female and 91 were male (163 females and 18 males); 98 were children (29 in 2016). All were foreign victims in 2016 and 2017. Law enforcement conducted preliminary interviews and referred potential victims to the Directorate General for Migration Management (DGMM), which officially recognized victims; DGMM interviewed approximately 5,000 potential victims (1,930 in 2016) and increased staff at headquarters from nine to 15. However, DGMM staff's ability to accurately identify victims varied among provinces and, in some cases, staff were reportedly reluctant to act on cases referred by civil society groups. Some observers reported a general lack of understanding and awareness of trafficking among some first responders and a lack of attention towards internal trafficking. Experts reported problems with authorities recognizing non-physical methods of control by traffickers. In some cases, weak interagency coordination on referral procedures may have resulted in some potential victims not receiving official victim status and the government services such status affords. The Ministry of Health and the Ministry of Family and Social Policies (MOFSP) continued to deploy specialized staff to government-operated migrant and refugee camps to screen camp residents for indicators of trafficking; however, observers reported the government did not make sufficient victim identification efforts in the highly vulnerable refugee and migrant communities outside of camps, or provide sufficient protection resources to address trafficking in these communities.

The law entitled equal services to all trafficking victims, including shelter, medical and psycho-social services, work options, education, translation services, temporary residency, repatriation assistance, and legal counseling. The government provided support to 151 victims (approximately 100 in 2016). The government covered funding for victims' services through various funding streams and did not make available the total amount of funding specifically allocated for anti-trafficking efforts. The government allocated 3.5 million Lira ($923,970) to international organizations for anti-trafficking and migration-related efforts; it did not provide funding to domestic NGOs. A DGMM-run shelter had the capacity to and did accommodate 20 female sex trafficking victims and provided psychological support, health care, access to legal aid, and vocational training. One hundred and two MOFSP-run shelters also provided accommodation for victims of violence, including men and children, and 32 locally-administered shelters offered general support services to trafficking victims. The DGMM-run shelter and MOFSP-run shelters required victims to have an escort to leave the shelter during their initial stay but allowed victims to leave the shelter voluntarily once security officials completed an assessment and deemed conditions safe, which generally took a few days. Government-operated Monitoring Centers for Children provided support to child victims of violence, including trafficking. DGMM reported negotiating agreements with four municipality-run shelters to provide specialized services to trafficking victims. Observers expressed significant concern about the general lack of inclusion of civil society groups in the government's victim protection efforts and the government's increasing removal of them from identifying and providing services to victims. Three NGO-run shelters that provided the majority of specialized support services to trafficking victims since 2004 closed operations in 2016 for various reasons. One NGO-run shelter chose to close due to security concerns, the second chose to close in response to funding shortfalls, and the third was closed by DGMM.

The government likely deported and detained some trafficking victims due to inadequate identification efforts. Law entitled victims to a temporary residence permit for 30 days, which could be extended up to three years with the option to apply for a work permit; the government issued 145 residence permits (141 in 2016). NGOs reported significant hurdles for victims in acquiring work permission, including a requirement that victims move out of trafficking shelters to be eligible to work. DGMM reported assisting 193 victims' repatriation. The government granted DGMM the right to participate in court proceedings as

a formal party to provide victim support efforts. Additionally, the government adopted a new regulation on "legal interview rooms," which allowed victims to testify in private rooms in order to reduce re-traumatization. The government did not report how many victims participated in criminal investigations or legal procedures. The law entitled victims to pursue restitution from their trafficker through civil suits and regulation entitled victims to one-time compensation but it did not define the amount or procedures to access it.

PREVENTION

The government maintained prevention efforts. The government drafted a national action plan but had not adopted it at the end of the reporting period. A senior-level national committee to coordinate interagency anti-trafficking efforts convened in March 2017 and February 2018. DGMM assumed the management of a national hotline that also handled trafficking calls from an international organization and trained new employees on trafficking issues, although observers reported a decrease in capacity to handle trafficking cases, possibly due to budget shortfalls to maintain the hotline. The government continued to prepare and distribute brochures on trafficking in six languages. DGMM issued its first annual report on trafficking and continued to publish annual data reports on its website for 2013-2017; however, observers reported the government did not share detailed statistics on a regular basis and OSCE reported discrepancies in the statistics of the different databases managed by various state institutions, such as the Ministry of Interior, MOJ, and courts. DGMM organized a workshop on anti-trafficking and hosted a meeting with national journalists to explain Turkey's efforts to combat trafficking. The government continued to implement comprehensive migrant registration protocols by registering more than three million Syrians and providing birth registrations for newly-born refugee children and reported efforts to naturalize approximately 50,000 Syrian refugees under temporary protection. Many observers reported the country's approximately 1,000 labor inspectors remained insufficient to monitor and inspect for child labor. Government efforts to reduce the demand for commercial sex acts or forced labor remained uneven. The government did not provide anti-trafficking training to diplomatic personnel.

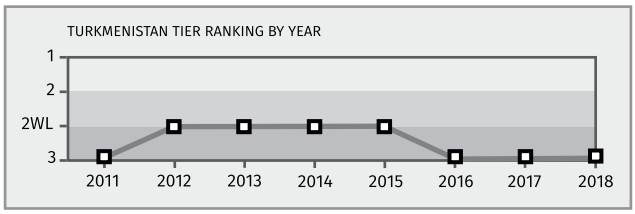
TRAFFICKING PROFILE

As reported over the past five years, Turkey is a destination and transit country and, to a lesser extent, a source country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, Indonesia, and Morocco. Of the 303 victims identified in 2017, Syrians continued to make up the largest number of victims (86 in 2017 and 36 in 2016) from a single country, followed by Kyrgyz (31), Moroccans (25), Afghans (21), Moldovans (20), and Uzbeks (19). Some Georgian men and women are subjected to forced labor. Foreign victims are commonly promised jobs in entertainment, modeling, or domestic work, but upon arrival are forced by traffickers into labor or prostitution in hotels, discos, and homes. Some Turkish men are subjected to trafficking in Azerbaijan and Israel. Roma and refugee children are vulnerable to trafficking while working on the street collecting garbage, selling flowers and other items, or begging. Reports indicate some youth in Turkey joined the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization under circumstances that remain unclear.

Turkey continues to host a large refugee population that is increasingly vulnerable to trafficking: approximately three and a half million displaced Syrians, 145,000 Afghans, and 140,000 Iraqis resided in Turkey during the reporting period. Syrian refugee and other children engaged in street begging and also reportedly worked in agriculture, restaurants, textile factories, markets, shops, and other workplaces, at times acting as the breadwinners for their families. Some are vulnerable to forced labor. Experts reported children worked long hours, with low wages, in some cases in substandard working conditions. Some reports claimed some Syrian and other girls were sold into marriages in which they were vulnerable to domestic servitude and sex trafficking.

TURKMENISTAN: TIER 3

The Government of Turkmenistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Turkmenistan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including drafting standard operating procedures (SOPs) for victim identification and referral in partnership with an international organization, and implementing a legal amendment that provided free legal assistance to individuals who apply for official status as trafficking victims. However, the government continued to use the forced labor of reportedly tens of thousands of its adult citizens in the annual cotton harvest and in preparation for the Asian Indoor and Martial Arts Games (AIMAG). No officials were held accountable for their role or direct complicity in trafficking crimes, and the continued imprisonment and abuse of an independent observer of the cotton harvest dissuaded monitoring of the harvest during the reporting period. The legal provisions on victim protection were not implemented, and the government did not fund any victim assistance programs.



RECOMMENDATIONS FOR TURKMENISTAN

Take action to end the use of forced adult labor, especially during the annual cotton harvest, particularly by modifying government policies that create pressure for mobilization of labor; hold complicit officials criminally accountable for their involvement in trafficking crimes; provide victim care services directly or by otherwise funding organizations to do so, as required under the 2016 anti-trafficking law; grant independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of individuals for documenting labor conditions; train police to recognize and investigate sex and labor trafficking crimes; finalize and adopt formal written procedures to identify and refer victims to protection services and train police, migration officers, and other relevant officials on such procedures; while respecting due process, investigate and prosecute suspected sex and labor trafficking offenses under article 129/1 of the criminal code and convict and punish traffickers; expand training for relevant government authorities on implementation of the provisions

of the 2016 anti-trafficking law and article 129, as amended in 2016; and increase awareness of trafficking among the general public through government-run campaigns or financial support for NGO-run campaigns.

PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. Article 129/1 of the criminal code prohibited all forms of trafficking in persons and prescribed penalties of four to 10 years imprisonment, which could be increased to 25 years imprisonment under aggravated circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Turkmenistan's Administrative Offense Code prescribed punitive fines and penalties for failure to prohibit forced labor, the disclosure of information that could harm a victim, or the failure to provide assistance to victims. Penalties ranged from 200 to 500 manat ($57 to $143) for private citizens, 500 to 1,000 manat ($143 to $286) for government officials, and fines from 1,000 to 2,000 manat ($286 to $573) or administrative suspension of up to three months for businesses.

The government reported it initiated prosecution of three cases in 2017, the same number as in 2016 and 2015, and compared to six cases in 2014. The government reported the conviction of one trafficker in 2017, compared with three traffickers in 2016, nine in 2015, and nine in 2014. In partnership with an international organization, the government provided training for 160 officials on trafficking-related issues. Despite continued reports of widespread corruption, the government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses, nor did it report any efforts to end officials' mobilization of persons for forced labor. Corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. In October 2016, the government arrested and charged Gaspar Matalaev, a reporter who contributed to an article documenting the use of forced labor in the annual cotton harvest, with fraud. Authorities allegedly tortured Matalaev and forced him to confess to taking and distributing photographs of the cotton harvest; Matalaev was sentenced to three years in a labor camp. He remained in prison at the end of the reporting period.

PROTECTION

The government decreased protection efforts. The government identified one victim in 2017, compared to 11 victims in 2016, 12 in 2015, and 19 in 2014. An international organization reported assisting 20 victims, but estimated the total number of victims was significantly higher, as evidenced by the 3,041 calls to the foreign-funded Ashgabat trafficking hotline. A second trafficking hotline, based in Turkmenabad, suspended operations in 2017 due to lack of funding. Despite the anti-trafficking law requiring the provision of a wide range of services from the government to trafficking victims, the government did not provide comprehensive services to all trafficking victims, nor did it fund international organizations or NGOs to provide such services. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign-donor funding. The shelter provided comprehensive services to five female victims in 2017, including local reintegration and job placement. In accordance with the national action plan, the government continued to partner with an international organization to draft SOPs for victim identification and referral, but did not finalize or adopt them. Authorities remained without formal written procedures to identify victims or refer them to care providers, but informally referred suspected trafficking victims to an international organization for services. Some law enforcement agencies only reported individuals as identified trafficking victims if their cases led to trafficking convictions. The prosecutor general's office reported victims could apply for physical protection and assistance in obtaining free medical care; however, officials did not provide details of specific cases in which such assistance was provided during the year, and NGOs indicated previously that some victims were required to pay for their own medical treatment.

The anti-trafficking law provided that victims, including those who participate in criminal proceedings, were exempt from administrative or criminal liability for unlawful acts committed as a direct result of being subjected to trafficking, and were guaranteed employment. It also required law enforcement agencies to respect the confidentiality of victims. An additional amendment to the legal code, effective February 2017, provided for free legal assistance to trafficking victims who apply for official status as such. Prosecutors reported they would not pressure victims into giving information in support of prosecution efforts. There were no reports of victims seeking or obtaining restitution in civil suits. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution. Consequently, officials may have penalized sex trafficking victims for prostitution offenses. After some Turkmen, including trafficking victims, returned home from other countries, the migration service reportedly blocked them from exiting Turkmenistan for a period of up to five years.

PREVENTION

The government made negligible efforts to prevent human trafficking. While the government reportedly collaborated with an international organization on the implementation of its national action plan, it did not take steps to end the use of forced labor during the cotton harvest and in preparation for the AIMAG. The 2016 anti-trafficking law called for the creation of an interagency anti-trafficking committee, comprised of several cabinet-level agencies and under the authority of the cabinet of ministers, to coordinate, plan, monitor, and report on the government's anti-trafficking efforts and analyze trends, improve victim protection measures, raise awareness, and monitor implementation of the national action plan. The interagency anti-trafficking committee was not established in 2017, but an interagency working group was established. The 2016 law also assigned responsibilities for anti-trafficking efforts among government agencies and charges the cabinet of ministers with planning, funding, and implementing anti-trafficking policy.

The law required the Ministry of Internal Affairs to record data on trafficking crimes; however, the government has not reported any systematic efforts to monitor its anti-trafficking efforts, and government data on the incidence of trafficking and trafficking-related prosecutions was not publicly available. The government maintained an official website that provided information on the risks of becoming a trafficking victim and cooperated with NGOs to conduct awareness campaigns in rural areas targeting vulnerable populations. The campaigns included trainings, information sessions, workshops, round tables, movie demonstrations, and school discussions. The government did not report efforts to punish labor recruiters or brokers involved in the fraudulent recruitment of workers. The stateless population in Turkmenistan, mostly consisting

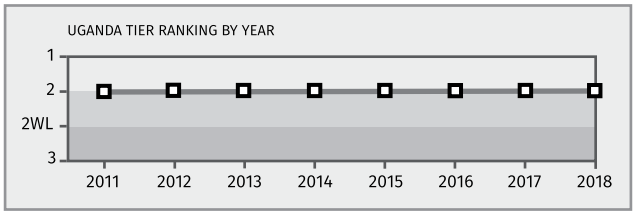
of former Soviet citizens, was vulnerable to trafficking; in 2017 the government granted citizenship to 1,690 stateless persons permanently living in Turkmenistan. The government made efforts to reduce the demand for commercial sex acts by routinely arresting purchasers of commercial sex, but did not make efforts to reduce the demand for forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Turkmenistan is a source country for men, women, and children subjected to forced labor and sex trafficking. Forced labor constitutes Turkmenistan's largest trafficking problem; in 2016, an ILO Committee of Experts' report noted "with deep concern the widespread use of forced labor in cotton production." To meet government-imposed quotas for the cotton harvest, local authorities required university students, private-sector institutions, soldiers, and public sector workers (including teachers, doctors, nurses, and others) to pick cotton without payment and under the threat of penalty. In 2017, there were uncorroborated media reports that the government mobilized children for the first time in several years. Government officials threatened public sector workers with dismissal, reduced work hours, or salary deductions if they did not participate in the cotton harvest. Authorities threatened farmers with loss of land if they did not meet government-imposed quotas. In addition, the government compulsorily mobilized teachers, doctors, and other civil servants for public works projects, such as planting trees. Students and teachers and other public sector employees were forced to fill support roles, such as entertainment in the AIMAG without receiving compensation. Workers in the construction sector are vulnerable to forced labor. Turkmen men and women are subjected to forced labor after migrating abroad for employment in the textile, agricultural, construction, and domestic service sectors. Turkmen women are also subjected to sex trafficking abroad. Turkey and Russia are the most frequent destinations of Turkmen victims, followed by other countries in the Middle East, South and Central Asia, and Europe. Residents of rural areas in Turkmenistan are most at risk of becoming trafficking victims, both within the country and abroad.

UGANDA: TIER 2

The Government of Uganda does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Uganda remained on Tier 2. The government demonstrated increasing efforts by investigating, prosecuting, and achieving convictions in more cases than in the previous year, identifying and repatriating more trafficking victims, and increasing law enforcement training. The government also lifted the travel ban on domestic workers abroad for two countries and launched an online External Employment Management System where citizens could apply for pre-vetted overseas employment opportunities through licensed companies. The government strengthened migrant worker protections abroad by negotiating with a foreign government to provide cellular phones, which include a recently launched application for the tracking and monitoring of workers. The government also increased law enforcement training. However, the government did not meet the minimum standards in several key areas. Insufficient funding for victim protection hindered government efforts. The government did not employ systematic procedures to refer or assist victims, and availability of victim services was inconsistent. The government has not institutionalized anti-trafficking training among law enforcement and front-line officials and there are still reports of misclassification of cases and poor investigations. The government did not report investigating allegations of corruption impeding government oversight of labor recruitment agencies.



RECOMMENDATIONS FOR UGANDA

Develop a formal mechanism to systematically refer trafficking victims to appropriate care and expand protective services for victims through partnerships with NGOs, including by allocating resources; increase efforts to investigate allegations of official complicity in trafficking crimes and prosecute and convict complicit officials; increase training for Ugandan embassies' staff on assisting trafficking victims abroad, including victim identification, providing temporary shelter, and facilitating the repatriation of victims; fully implement the protection and prevention provisions of the 2009 anti-trafficking act; replace the partial suspension of recruitment agencies sending migrant workers abroad for domestic work with consistently enforced regulations and oversight of recruitment companies, including by adopting proposed amendments to the anti-trafficking act that would increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters; increase bilateral negotiations with destination country governments on migrant worker rights, including the release and repatriation of Ugandan migrant workers exploited by employers abroad; use existing laws to proactively investigate and punish labor recruiters who fraudulently recruit Ugandans; authorize an official entity to lead and coordinate national anti-trafficking efforts between ministries and oversee services for trafficking victims to ensure appropriate services are rendered; increase resources dedicated to anti-trafficking efforts; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including police, immigration officers, prosecutors, and judges; establish a unified system of documenting and collecting data on human trafficking cases; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The 2009 anti-trafficking act criminalized sex and labor trafficking, and prescribed punishments of up to 15 years imprisonment for offenses involving adult victims and up to life imprisonment for those involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The law also criminalized the use of a child in any armed conflict and prescribed penalties of up to the death penalty. The Children Amendment Act of 2016 conflicted with the 2009 anti-trafficking act in some respects—for example, it defined child sex trafficking to require force, fraud, or coercion, which was inconsistent with the definition of trafficking under international law, and it prescribed substantially lower penalties for the crime.

The government reported 145 trafficking investigations, prosecutions of 52 defendants in 50 cases, and convictions of 24 traffickers in 2017 under the 2009 anti-trafficking act, compared to 114 investigations, 32 prosecutions, and 16 convictions in 2016. However, as additional details were unavailable, the number of prosecutions and convictions may have included cases of child sacrifice and illegal adoption. The government did not report the penalties assigned to convicted traffickers. The government did not report any prosecutions, or convictions of government employees complicit in human trafficking; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Following a November 2015 request from the Department of State, the Ugandan government declined to waive immunity to allow the prosecution of a Ugandan diplomat and his spouse for labor trafficking and related offenses; the couple has since departed the United States. The government did not report taking any action during the reporting period to hold the diplomat and his spouse accountable. There were allegations that officials from the office of the prime minister were complicit in several illegal activities related to the refugee settlements, including corruption, sexual exploitation and abuse, and facilitating the movement of vulnerable populations from settlements in Uganda to South Sudan. The government suspended four high-level officials in the office of the prime minister based on allegations of their involvement in illegal activities in the refugee settlements. The government is investigating the allegations. There were also several media reports of alleged complicity of police officers in child sex trafficking of refugees and coercion of refugee women to perform sexual acts in exchange for various forms of migration documentation. The media also reported that the Police Professional Standards Unit investigated several regional and district police commanders in Busia and Tororo for alleged involvement in human trafficking. Additionally, the media continued to report that some of the labor recruitment companies suspected of involvement in trafficking were associated with, or partially owned by, high-level officials, which impeded law enforcement agencies' ability to investigate their operations. An NGO continued to report that some complicit immigration officers at border crossings facilitated passage of trafficking victims. The government did not report progress on or efforts to complete the prosecution of a case from 2014 involving the Commissioner from the Ministry of Finance, charged with child trafficking.

In partnership with NGOs, the government facilitated a training for 150 participants on the anti-trafficking law and case management; judges, magistrates, prosecutors, law enforcement officials, and civil society attended the training. The Ministry of Internal Affairs (MIA) conducted two training sessions for 63 police officers, three prosecutors, and four probation and social welfare officers in both the Katonga and Wamala regions on trafficking and the anti-trafficking law. The Immigration Department continued to conduct monthly sessions to train its officers on anti-trafficking issues. Despite these training efforts, some police and immigration officers continued to lack an understanding of the anti-trafficking law, and may have misclassified cases or encouraged victims to accept financial compensation from traffickers in exchange for dropping their cases. Reportedly, many police had not received adequate anti-trafficking training, yet used their discretion to only send cases they deemed to be prosecutable to the Directorate of Public Prosecutions (DPP). Even cases that the police sent to the DPP frequently had incomplete investigations and did not comply with protocols for admissible evidence. Transnational cases remained difficult for law enforcement to properly investigate, often leading to poor investigations and limiting prosecutions; the DPP reportedly relied on INTERPOL to investigate transnational trafficking cases, but due to delayed responses and competing priorities, DPP dismissed several cases. Law enforcement officials also cooperated with foreign law enforcement on the cross-border "Operation Usalama," during which two transnational victims were rescued; additional details were not available.

PROTECTION

The government increased protection efforts; however, insufficient funding and training for victim assistance continued to limit effectiveness during the reporting period. The government reported identifying at least 276 victims in 2017, as compared with 270 in 2016. Of the 276 trafficking victims, 82 children and 134 adults were victims of forced labor, and two children and 38 adults were victims of sex trafficking. The government also identified four adults who were victims of both sex trafficking and forced labor and 16 children who were transnational victims of forced armed conflict. Of the identified victims, 197 were transnational, the majority of all victims were women, and all of the internal victims were children, the majority of which were Karamojong. The government reported removing nearly all internal child trafficking victims from situations of exploitation, but did not report providing the children with assistance afterward. The government reported repatriating 148 victims; while approximately 100 Ugandan victims remained in trafficking situations abroad; however, these numbers included 52 victims that may not have been trafficking victims. In comparison, in 2016, the government reported repatriating 129 trafficking victims. According to the government, authorities intercepted a total of 353 Ugandan travelers, the vast majority of them female, attempting to depart to countries which officials assessed as high risk for them to become a victim of trafficking, or being unable adequately explain the purpose for their travel; this represented a significant increase from the 250 potential victims intercepted in 2016. Oman, Kenya, or Thailand were the major destination countries for both victims and intercepted potential victims of trafficking.

The government did not enact the implementing regulations for the 2009 anti-trafficking act or allocate funding for the implementation of its victim protection provisions; however, the MIA completed the first draft of the implementing regulations and submitted them to the Ministry of Justice and Constitutional Affairs for legal review. The government continued to employ victim identification and assistance guidelines for adult and child trafficking victims, and the Immigration Department distributed these guidelines to immigration officers and provided training on their implementation. However, the government remained without a formal mechanism to systematically refer trafficking victims to appropriate care. The government did not track or report how many victims it referred to care or directly assisted. It continued to rely on NGOs and international organizations to provide the vast majority of victim services via referrals to NGO-operated shelters, which provided psychological counseling, medical treatment, family tracing, resettlement support, and vocational education without contributing in-kind or financial support. Several NGOs reported assisting 132 trafficking victims during the reporting period, 45 of those victims were children; at least 88 were victims of sex trafficking, at least three were victims of forced labor, and information was not available for 43 victims. NGOs reported that the government referred at least 13 trafficking victims to care at NGOs. Victim care remained inadequate and available services were primarily for children and women, with few NGOs offering shelter for adult

males. In previous years, child victims in need of immediate shelter often stayed at police stations, sometimes sleeping in impounded vehicles, or at a juvenile detention center while awaiting placement in more formal shelters.

The government did not adequately assist Ugandan citizen victims identified abroad. It generally provided replacement travel documents to facilitate the repatriation of its citizens, while NGOs provided funding for return travel. However, where embassies existed, the government did not provide shelter for Ugandan nationals abroad or upon their repatriation. In response to the continued abuse of migrant worker's rights abroad, the Uganda Association of External Recruitment Agencies, a private sector entity, established a Labor Liaison Office (LLO) in Saudi Arabia during the reporting period. The LLO reported assisting more than 200 potential trafficking victims in Saudi Arabia by working with immigration officials to obtain permission for their departure, funding return travel, and resolving disputes over unpaid wages. An NGO reported repatriating 15 Ugandan trafficking victims, the majority for sex trafficking, from Turkey, Malaysia, Thailand and Egypt, and providing them with medical assistance and referral to a local NGO upon their return. In the previous reporting period, the government reported that eight Ugandan children were separated from the Allied Democratic Front armed group in the Democratic Republic of the Congo (DRC); six of the children were repatriated by an international organization during this reporting period and two remain with host families in DRC.

While the 2009 anti-trafficking act prohibits the penalization of trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, reports indicated that the government detained and placed on bond some trafficking victims, including children, in an attempt to compel them to cooperate with and periodically report to law enforcement in support of criminal investigations. In addition, police in Kampala intermittently rounded up street children, including potential trafficking victims, and held them for a number of days at a juvenile rehabilitation center before returning them to their families. Authorities sent some of the children returned to the Karamoja region to a youth training center that provided food, counseling, and three months of vocational training, before returning them to their families. Previous reports claimed that police sometimes treated street children as criminals and arbitrarily arrested and detained them in detention facilities; however, the government reported that practice officially ended and officials now took the children to NGO-run shelters, but because these shelters were frequently full, this may still have occurred. Judicial officers often encouraged trafficking victims to participate in the investigation and prosecution of their traffickers to prevent the victimization of others, but some reports indicated that law enforcement's limited capacity and inadequate sensitivity in engaging trafficking victims discouraged many from cooperating in investigations. Ugandan law permitted foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply for residence and work permits, but the government did not record any victims applying for such benefits during the reporting period. The law permitted victims to keep their identities anonymous by using voice distortion and video link facilities. The law allowed victims to file civil suits against the government or their alleged traffickers for restitution; however, there were no such cases during the reporting period. There was no formal policy to provide cooperating victims and witnesses with assistance, support, or safety; the government sometimes provided food, transportation, physical protection, or in-kind support, but it was ad hoc and inconsistent, and some reports indicated that police temporarily sheltered cooperating victims in their homes. The government reported cooperating with foreign countries from the East African Community to develop a regional anti-trafficking initiative that focused on victim identification, to ensure that trafficking victims were not arrested or prosecuted for crimes they committed as a result of being subjected to trafficking; the initiative was ongoing.

PREVENTION

The government increased prevention efforts. The National Task Force, led by the MIA Permanent Secretary, with the Coordination Office to Combat Trafficking in Persons (COCTIP) serving as its secretariat, continued to implement the national action plan and coordinate all anti-trafficking efforts. The National Task Force remained without a strategic mandate to drive national anti-trafficking efforts or the authority to fund and propose improvements and activities for participating agencies—which limited its effectiveness. While the National Task force did not receive funding, COCTIP reported receiving a small budget allocation from the government. In 2017, the government continued its national awareness campaigns—composed of talks, media outreach, and distribution of written materials. The National Task Force and COCTIP, with funding from MIA, continued to coordinate with NGOs to conduct awareness campaigns through broadcast media and billboards, purposefully targeted at potential victims, including community outreach to schools and at religious centers. MIA continued to produce trafficking brochures and hung posters at locations where Ugandan job seekers frequented, and passport and immigration officers often counseled potentially at-risk Ugandans seeking passports about the dangers of trafficking. The MIA, in partnership with NGOs, also conducted awareness meetings for civil society, local leaders, police, immigration, labor inspectors, taxi, bus and *"boda boda"* drivers, hotel operators, and security and probation officers on identification and referral of trafficking victims and focused on known recruitment areas along the border and at the international airport. The government did not operate an anti-trafficking hotline during the reporting period.

During the reporting period, the government partially lifted the 2016 ban on Ugandans traveling abroad for domestic work, which was implemented due to reports of abuse and trafficking. With this change, workers could seek out employment in domestic work and travel to countries that had bilateral labor agreements with the government, which included only Saudi Arabia and Jordan, who had signed such agreements in 2015 and 2016, respectively. In 2018, the government launched the External Employment Management System, which functioned as a "one stop" internet portal where Ugandans could search and apply for all pre-vetted overseas employment opportunities through licensed recruitment companies. The government reported that the objective was to decrease illegal labor migration through unlicensed recruiters, which left migrants vulnerable to trafficking. Despite the new online employment system and bilateral labor agreements, destination country governments, like that of Jordan, issued visas to Ugandan migrant workers that used unlicensed companies in the country, making the protection of Ugandan citizens and pre-departure regulation efforts by the Ugandan government difficult. Additionally, Ugandan officials, in partnership with the Government of Saudi Arabia, recently launched an online labor monitoring system, which was developed to track migrant workers and receive reports of mistreatment or abuse. Immigration officials continued to scrutinize travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work

in foreign countries. The government continued its oversight of labor recruitment agencies during the reporting period and reported that over 80 illegal recruitment individuals and companies were investigated and closed, and some of the staff were prosecuted for illegal recruitment for the purpose of trafficking, but did not report further information. This was particularly relevant as the government reported that over 90 percent of the registered victims had been subjected to trafficking as a result of recruitment by unlicensed labor recruitment companies. The 2005 Employment Regulations, required labor recruitment companies to register and undergo a thorough vetting process. Registered companies were required to maintain a minimum bank deposit and a credit line, to ensure they maintained the financial resources to repatriate workers if they became trafficking victims. The government reported vetting all labor requests received by local companies and all contracts executed between international employers and the Ugandan business. COCTIP reported conducting pre-departure briefings for migrant workers. As part of the government's public awareness campaign, it published a list of the 66 licensed labor recruitment companies on several Ministry webpages, compared to 63 registered agencies in 2016, and urged the public to only seek work through those agencies. In an effort to protect migrant workers, the government worked with labor recruitment agencies to ensure that the relevant Ugandan embassies were aware of their citizens working in those countries. However, corruption reportedly inhibited oversight of labor recruitment firms, as did insufficient staffing, and loopholes in the law. For example, the media reported that foreign, usually Middle East-based, recruitment agencies would operate in Uganda by taking advantage of loopholes in the licensing of recruitment agencies; the Middle East-based agencies would acquire an internal license, vice an external license, then recruit workers directly from Uganda and illegally send them abroad by collaborating with criminals. As mandated by the 2015 Registration of Persons Act, the government continued to register its citizens and provide them with national identification numbers. The government did not provide anti-trafficking training to Uganda's troops prior to their deployment abroad as part of international peacekeeping missions, but through a foreign donor, the troops received human rights training. The government did not make discernible efforts to reduce the demand for commercial sex acts or forced labor. Uganda is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE:

As reported over the past five years, Uganda is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, carpentry, steel manufacturing, street vending, bars, restaurants, and domestic service. Traffickers exploit girls and boys in prostitution. Recruiters target girls and women aged 13-24 years for domestic sex trafficking, especially near sports tournaments and road construction projects. An international organization estimates there are between 7,000 to 12,000 children involved in prostitution in Uganda. An international organization reported that most internal trafficking victims are Ugandans, the majority of which are exploited in forced begging. Young boys and girls were the most vulnerable to internal trafficking, mainly for labor or begging in Kampala and other urban areas. Authorities subjected some prisoners in pre-trial detention to forced labor.

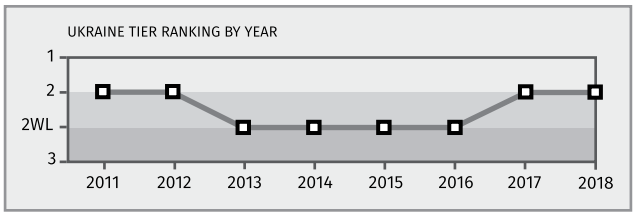
Traffickers subject some children from the DRC, Rwanda, Burundi, Kenya, Tanzania, and South Sudan to forced agricultural labor and exploited in prostitution in Uganda. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking. In 2017, individuals from Rwanda and Somalia, including a Somali refugee from Nakivale Refugee Settlement, were victims of internal trafficking. Some Ugandans abducted by the Lord's Resistance Army (LRA) prior to 2006 remain unaccounted for, and may remain captive with LRA elements in the DRC, the Central African Republic, and the disputed area of Kafia Kingi, which both Sudan and South Sudan claim. Traffickers have exploited trafficking victims from the DRC and Rwanda in sex trafficking in Uganda. In 2017, there were allegations that officials from the office of the prime minister were complicit in several illegal activities related to the refugee settlements, including corruption, sexual exploitation and abuse, and facilitating the movement of vulnerable populations from settlements in Uganda to South Sudan. The government suspended four high-level officials in the office of the prime minister based on allegations of their involvement in illegal activities in the refugee settlements. The government is investigating the allegations. There were also several media reports of alleged complicity of police officers in child sex trafficking of refugees and coercion of refugee women to perform sexual acts in exchange for various forms of migration documentation.

In 2016, Ugandan victims were identified in neighboring countries, including Kenya, South Sudan, and the DRC. Young women remained the most vulnerable to transnational trafficking, usually seeking employment as domestic workers in the Middle East; at times Ugandan women were fraudulently recruited for employment and then exploited in forced prostitution. Ugandan migrant workers are subjected to forced labor and sex trafficking in United Arab Emirates, Saudi Arabia, Oman, Qatar, Kuwait, Iraq, Iran, Egypt, Turkey, Algeria, and China. Despite the government's partial lifting of the ban on Ugandans' travel abroad for domestic work to Saudi Arabia and Jordan, some licensed and unlicensed agencies circumvented safeguard mechanisms established by the government by sending Ugandans through Kenya and Tanzania. An international organization reported identification of 14 victims in Malaysia and Thailand and additional victims in Poland, Switzerland, and Ukraine. Official complicity may have hindered government oversight of labor recruitment agencies. COCTIP reported that traffickers appear to be increasingly organized and some may have formed regional trafficking networks. NGOs reported that traffickers are frequently relatives or friends of victims, or may pose as wealthy women or labor recruiters promising vulnerable Ugandans well-paid jobs abroad or in Uganda's metropolitan areas. Reportedly, pastors, imams, and local leaders at churches and mosques have also assisted in the recruitment of domestic workers abroad, mostly for Middle Eastern countries; these leaders encourage female domestic workers to take these jobs and in turn receive a fee per worker from recruiters. Some traffickers threatened to harm the victims' family or confiscated travel documents.

UKRAINE: TIER 2

The Government of Ukraine does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Ukraine remained on Tier 2. The government

demonstrated increasing efforts by investigating and prosecuting a greater number of trafficking cases, increasing coordination among interagency and civil society stakeholders, identifying more victims, providing more financial assistance to victims, opening additional socio-psychological centers to serve victims, and increasing training for government officials. However, the government did not meet the minimum standards in several key areas. Lax sentencing, likely aggravated by corruption, meant the majority of convicted traffickers avoided imprisonment, which was inadequate to deter trafficking. The moratorium on labor inspections hampered law enforcement investigations on labor trafficking cases. International organizations continued to identify far more victims than the government, indicating inadequate identification efforts by the government and a continuing lack of trust in the government's ability to protect victims. Ongoing Russian aggression continued to drain Ukrainian government resources, displacing close to two million people, and making a large population vulnerable to exploitation.



RECOMMENDATIONS FOR UKRAINE

Punish convicted traffickers with proportionate and dissuasive sentences; clearly define administrative chains of responsibility and competencies of service providers throughout the decentralization process to minimize disruption in the processes of identification, referral, and assistance to trafficking victims; vigorously investigate and prosecute trafficking offenses, including public officials complicit in trafficking crimes; certify more victims to ensure they are afforded their rights under the trafficking law and modify the procedure for granting victim status to lessen the burden on victims to self-identify and divulge sensitive information; increase law enforcement monitoring of recruitment firms engaged in fraudulent practices associated with exploitation; continue to provide adequate resources for and fully implement the 2016-2020 national action plan; increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases, particularly on forced labor, a victim-centered approach, and how to gather evidence outside of victims' testimony; develop victim-witness protection measures and take active measures to end intimidation of victims during legal procedures; increase training for officials on victim identification, particularly in proactive screening for labor trafficking and of vulnerable populations, such as women in prostitution, children in sex trafficking, foreign migrant workers, and internally displaced persons; enact legislation to strengthen protections for foreign victims; continue to fund services to support trafficking victims, including rehabilitation centers; and increase cooperation with law enforcement officials in countries where Ukrainians are subjected to human trafficking.

PROSECUTION

The government increased law enforcement efforts. Article 149 of the criminal code criminalized sex and labor trafficking and prescribed penalties of three to eight years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 346 trafficking offenses in 2017, compared with 112 in 2016. These included 142 instances of sex trafficking, 17 for labor trafficking, 163 for forced involvement in criminal activity, and six for forced begging. Authorities initiated prosecutions of 66 cases in court in 2017, compared to 45 cases in 2016. The government convicted 23 traffickers in 2017 under article 149, a slight decrease from 28 in 2016, and the lowest in six years. Of the 23 convicted traffickers sentenced in 2017, only seven (30 percent) received prison sentences, which ranged from three to five years, and the government confiscated assets from two defendants; in 2016, only five of 28 (18 percent) convicted traffickers received prison sentences. The national police created a department to address abuses of migrant workers abroad to assist in trafficking investigations. It also established an analytics department to improve the operative analysis of available crime data, to include trafficking. The Border Guard Service reported that due to cooperation with the police, they were able to stop 20 cross-border trafficking channels. Authorities collaborated with foreign governments on transnational investigations and extraditions, including Moldova, Russia, Turkey, Poland, Netherlands, Belarus, France, Greece, and Lithuania.

Official complicity and willful negligence resulted in the abuse of children in state-run institutions and orphanages, who were especially vulnerable to trafficking. Institutional reforms in Ukraine over the past three years led to widespread turnover in many government institutions, notably within the ranks of the national police and the judiciary. The recertification and restructuring of police units continued during the reporting period and included mandatory training and testing on trafficking, with assistance from an international organization, and reduced the number of officers suspected of corruption. The government, in conjunction with international funding and partners, increased training for judges, prosecutors, law enforcement, and other government officials. The government reported investigating and arresting several officials allegedly complicit in trafficking; however, there were no new prosecutions or convictions. Several high-profile cases remained pending with the court, including the former commander of the Kyiv City police counter-trafficking unit, three police officers, and a teacher at a government-run boarding school for orphans in Kharkiv who attempted to sell one of her students.

PROTECTION

The government increased efforts in some areas of protection. The Cabinet of Ministers introduced draft legislation intended to increase the safety of persons with disabilities from exploitation, improve procedures for establishing victim status, expand the network of victim service providers, and improve protections for foreign victims and stateless persons; the legislation remained pending in Parliament at the close of the reporting period. The government significantly increased identification through the national referral mechanism. The police identified 349 victims in 2017 (103 in 2016). The government continued to rely on international organizations and NGOs, with international donor funding, to identify victims and provide the vast majority of victim protection and assistance. In 2017, an international organization in Ukraine assisted 1,256 victims, compared with 1,105 in 2016. International organizations and the government reported the majority of identified victims were subjected to labor exploitation. Authorities approved 195 of 273 applications requesting official victim status in 2017, compared to 110 of 124 in 2016 and 83 of 91 in 2015. Of the 78 cases not approved in 2017, 34 were refused and 41 applications

were incomplete—the other cases remained pending. The government increased cooperation with NGOs and waived in-person interview requirements to grant official victim status to four Ukrainians incarcerated abroad for actions committed as a result of being trafficked, which resulted in their release and repatriation. Victims not requiring specialized services may have chosen to not pursue official victim status. The government increased efforts on proactive victim identification and held national workshops with stakeholders to improve cooperation on victim identification within the context of the national referral mechanism. Ongoing decentralization reforms obscured local communities' chains of responsibility for decisions regarding provision of key social services, including identifying, referring, and assisting trafficking victims. The law directed law enforcement officials to proactively identify trafficking victims; however, individuals in prostitution were not always screened for signs of trafficking. Some victims trafficked for prostitution may have been subjected to administrative charges.

The government disbursed 98,800 hryvnia ($3,510) to the national budget and 219,220 hryvnia ($7,790) to local budgets for anti-trafficking measures in 2017, maintaining allocations from the previous year. State authorities allocated 1.7 million hryvna ($61,330) for the implementation of the national action plan over the next four years—47 percent above what is called for in the plan. The government increased the amount of financial assistance provided to each officially recognized victim, and the amounts provided were greater than the official subsistence level. Ukraine's trafficking law entitled victims to housing at a government shelter, psychological assistance, medical services, employment counseling, and vocational training, regardless of whether a criminal case proceeded or the victim cooperated with law enforcement. Authorities assigned victims with official status a case management team, which provided referrals to care facilities, NGOs, or other services according to an individualized plan. Some victims requiring shelter stayed at a rehabilitation center run by an international organization with funding from international donors, housed in a state-run hospital. Adult victims could also stay at government-run centers for socio-psychological assistance for up to 90 days and receive psychological and medical support, lodging, food, and legal assistance. The government increased the number of centers for socio-psychological assistance from 20 to 21 and maintained 692 additional social services centers. Observers reported the provision of assistance was problematic due to funding shortfalls and high turnover of trained staff. Authorities could accommodate child victims in centers for socio-psychological rehabilitation of children for up to 12 months and administer social, medical, psychological, education, legal, and other types of assistance. The government, often in cooperation with international organizations, provided significantly more training for government officials on victim identification and assistance during the reporting period than last year. The Ministry for Social Policy (MSP), in cooperation with an international organization, implemented an interactive e-learning module on the identification and referral of trafficking victims. The government reported it assisted in the repatriation of nine Ukrainian victims from Armenia, Azerbaijan, Cyprus, Georgia, and Turkey.

Victims had the legal right to file civil suits for restitution, and courts ordered restitution payments for 24 trafficking victims in 2017, compared to 79 in 2016. Various protective measures were legally available inside courtrooms for victims who testified at trial, but in practice, it is not clear that authorities consistently applied these measures and treated trafficking victims in a victim-sensitive manner. The government reported changing personal data of victims for security purposes in four cases in 2017, as opposed to two in 2016. NGOs reported the government often did not provide legal assistance or other support to victims during criminal cases.

Officials reported screening illegal migrants for indicators of trafficking. Authorities did not recognize any foreign victims in 2017, but international organizations reported identifying three victims from Moldova, Russia, and Uzbekistan. Foreign victims were entitled to the same benefits as Ukrainian citizens. Legislation that would allow foreign victims to remain in Ukraine for extended periods and work legally in the country remained pending with the government. There was no legal way for foreign victims to extend their stay, change legal residency, secure employment rights, or seek protection from deportation to countries where they would face hardship or retribution. There were no reports the government penalized victims for crimes committed as a direct result of being subjected to trafficking; however, due to uneven screening, it is possible that authorities may have detained, deported, or punished trafficking victims.

PREVENTION

The government increased prevention efforts. Authorities, in coordination with NGOs and international organizations, carried out a wide range of awareness campaigns, including television programs, street advertising, public events, and community policing. The Ministry of Education and Science endorsed two mandatory extracurricular courses for teachers. In summer 2017, authorities, with the support of an international organization, expanded a 2016 informational campaign on child begging to cover two additional cities, which also established a cooperation mechanism between law enforcement and child services. In July 2017, the government adopted a Strategy of State Migration Policy with the goal of raising awareness on knowledge of rights while working abroad. A Counter Trafficking and Migrant Advice Hotline was operated by a local NGO and funded by international donors. In 2017, the hotline received 19,444 calls; 80 potential victims were identified and referred to responsible local agencies and NGOs for assistance.

Police conducted investigations of formal and informal recruitment networks, including companies advertising jobs abroad, and participated with other stakeholders to raise awareness about known recruitment schemes. The MSP continued to maintain a list of licensed recruitment companies. The government extended a moratorium on labor inspections through December 2018 but allowed inspections when credible information of trafficking existed. The government conducted counter-trafficking pre-deployment trainings for Ukrainian troops assigned to multinational missions and provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

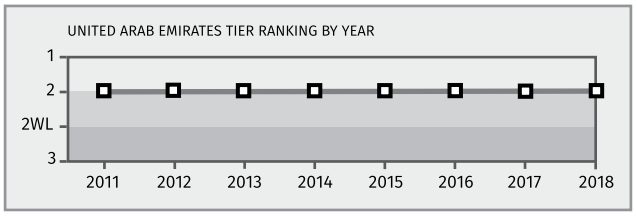
As reported over the past five years, Ukraine is a source, transit, and destination country for men, women, and children predominantly subjected to forced labor and, to a lesser extent, to sex trafficking. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Moldova, and other parts of Europe, Kazakhstan, and the Middle East. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of

foreign nationals, including those from Moldova, Russia, and Uzbekistan are subjected to forced labor in Ukraine. Victims trafficked in Ukraine have been exploited in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging; experts report the number of foreign victims in Ukraine has fallen dramatically since the beginning of hostilities in eastern Ukraine. Smuggled migrants transiting Ukraine are vulnerable to human trafficking. The approximately 82,000-200,000 children institutionalized in state-run orphanages were especially vulnerable to trafficking. Officials of several state-run institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

Fueled by Russian aggression, the conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation. In areas controlled by the Russia-led forces, the situation has become particularly challenging. Employment options are limited and Russia's proxy "authorities" have restricted international humanitarian aid that would help meet civilian needs. Women and girls from conflict-affected areas have reportedly been kidnapped for the purposes of sex and labor trafficking in Ukraine and Russia. Internally displaced persons were subjected to trafficking, and some Ukrainians were subjected to forced labor on territory not under government control, often via kidnapping, torture, and extortion. The large, displaced population and economic crisis has increased vulnerability of Ukrainians to trafficking throughout the country. International experts reported the demographics of Ukrainian trafficking victims has shifted since the beginning of the conflict to include more urban, younger, and male victims subjected increasingly to forced labor and criminality, such as drug trafficking and couriers. Russia's proxies in eastern Ukraine issued decrees calling for the conscription of minors and Russia-led forces used children as soldiers, informants, and human shields. A civil society organization stated that it recorded 85 cases of involvement of children in illegal armed groups in areas outside of Ukraine's control; it reported it was able to identify names, ages, forms of recruitment, children's duties, and the identities of recruiters. According to the organization, children took direct and indirect part in the armed conflict; they performed armed duty at checkpoints as fighters and served as guards, mailpersons, and secretaries. The OSCE Special Monitoring Mission in Ukraine reported children as young as 15 took part in active combat as part of Russia-led forces. Children ages 15 to 17 were actively recruited to participate in militarized youth groups that taught children to carry and use weapons. A Ukrainian government official reported that one children's battalion associated with this training program, the St. George the Victor Battalion, may have included children as young as 12 years. The recruitment of children by militant groups took place on territory not under the control of the government and in areas where the government was unable to enforce national prohibitions against the use of children in armed conflict.

UNITED ARAB EMIRATES: TIER 2

The Government of the United Arab Emirates (UAE) does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore the UAE remained on Tier 2. The government demonstrated increasing efforts by enacting a new domestic worker law intended to expand legal protections to this vulnerable population and opening specialized centers run by the Ministry of Human Resources and Emiratization (MOHRE) to regulate domestic worker recruitment and safeguard the terms of employment. In addition, it continued to generate anti-trafficking awareness country-wide and funded and implemented its national action plan to combat trafficking. However, the government did not meet the minimum standards in several key areas. The government did not consistently enforce the legal prohibition on withholding workers' passports despite the practice being widespread. While improved, legal and regulatory protections for domestic and private sector workers under the sponsorship system remained inadequate, and government law enforcement and victim protection efforts for labor trafficking remained weak.



RECOMMENDATIONS FOR UNITED ARAB EMIRATES

Increase efforts to investigate, prosecute, and punish trafficking offenses, especially labor trafficking involving domestic workers, and labor-related crimes; convict and punish labor traffickers, including exploitative recruitment agents and employers; fully implement the new domestic worker law and ministerial labor decrees that expand protections for domestic and private sector workers; reform the sponsorship-based employment system; strictly enforce prohibitions on withholding workers' passports; continue to expand usage of standard procedures for victim identification among foreign workers subjected to forced labor, particularly domestic workers who have fled their employers; provide protection services to all trafficking victims, including by increasing services for forced labor victims; and, increase published data and access to information pertaining to labor practices, trafficking crimes, and anti-trafficking efforts.

PROSECUTION

The government maintained anti-trafficking law enforcement efforts. Federal Law 51 of 2006 and its amendments in Federal Law No.1 of 2015 criminalized trafficking and prescribed penalties ranging from one year to life in prison, as well as fines ranging from 100,000 to 1 million United Arab Emirates dirham (AED) ($27,230 to $272,260) and deportation for non-citizens. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. During the reporting period, the government enacted Federal Law No.10 of 2017, which provided additional protections for domestic workers, as well as specified new regulations for recruitment agencies and employers of such workers, including those pertaining to hiring practices, working conditions, and employment contracts.

As in years past, the government did not report detailed statistics on trafficking-related investigations. According to data provided by the National Committee to Combat Human Trafficking (NCCHT), in 2017 the government prosecuted 48 alleged traffickers in 16 new trafficking cases all of which involved sexual exploitation, compared to106 alleged traffickers in 25 cases during the previous reporting period. It convicted seven

traffickers during 2017, on par with nine it convicted in 2016, and sentences ranged from three years plus a fine to life in prison. Nine cases remained pending in the court system at the close of 2017. In addition, according to the NCCHT, all of the 17 cases that were unresolved as of the end of 2016 also resulted in guilty verdicts in 2017. In one case that began in 2016 and reached a verdict in 2017, the government administered life sentences to two traffickers.

Contraventions of Emirati labor laws containing indicators of trafficking, such as delayed wage payments, unpaid overtime, or passport confiscation, were rarely criminally prosecuted as cases of forced labor, despite widespread reports of the crime in the country; instead, these crimes were treated as regulatory violations, typically resulting in fines or the cancellation of business licenses. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking crimes. However, in June 2017, a Brussels criminal court convicted in absentia eight members of a ruling Emirati family of human trafficking and degrading treatment of their domestic workers; the perpetrators reportedly confiscated their employees' passports, restricted their movements, and withheld their salaries, among other acts indicative of forced labor. The Belgian court officials handed down 15-month suspended jail terms and ordered each defendant to pay $185,000, with half of the fine also suspended.

In 2017, the Ministry of Interior and Dubai police jointly developed 62 training courses, lectures, and workshops, which were attended by 4,258 participants, including law enforcement officials, diplomats, civil society members, and laborers. Relevant ministry and law enforcement officials held a series of lectures and training programs in workers' residences and recruitment offices to raise awareness about types of trafficking crimes and best practices for coordinating with law enforcement personnel and shelter staff, at times coordinating with relevant labor-sending embassies. Dubai police also provided trafficking-related training to 19 recruiting companies in 2017. For the fourth year, Dubai Police partnered with Dubai's Judicial Institute and the NCCHT to host a four-month diploma course on anti-trafficking measures attended by UAE law enforcement professionals and social workers. In addition, Dubai Police also hosted a workshop for diplomatic mission personnel regarding human trafficking investigations. Government authorities continued to train police, judges, prison officials, and immigration authorities on identifying trafficking victims. The law enforcement and judicial sectors dedicated official training sections for how to maneuver human trafficking cases. Emirates Airlines, which is owned by the Dubai government, trained its cabin crewmembers and other airport ground staff on detecting instances of human trafficking at check-in and on flights.

PROTECTION

The government maintained modest protection efforts. Provision of protective services continued to center almost entirely on victims of sex trafficking, and such services were rarely provided to labor trafficking victims. During 2017, the government identified 28 victims and referred to protective services 25 sex trafficking victims, compared with 34 in the previous year. For the first time in three years, a shelter solely for male victims, located in Abu Dhabi, housed 15 men who had been forced to beg during the reporting period. To identify victims of forced labor, the government irregularly used standard procedures for victim identification among foreign workers and continued to rely predominantly on third-party referrals from foreign embassies, religious institutions, reactive police investigations, or tips received through government hotlines, smartphone applications, and the internet. To a significantly lesser degree, the government also received tips from retina scans and fraudulent document detectors at points of entry, as well as proactive screening mechanisms employed by officials, often law enforcement personnel. Authorities continued to implement a formal system to move suspected trafficking victims from detention centers, hospitals, houses of worship, or facilities run by source country embassies or consulates, to government shelters, upon the completion of victim identification. At times, female or male police officers in plain clothes—intended to reduce victims' anxieties—escorted victims, identified by law enforcement, from a government-run transitional center to a shelter; however, some victims continued to express fear of being sent to prison for immigration or other violations rather than being accepted into a shelter. In 2017, the government paid via its victims support fund 99,000 AED ($26,950) for protective services for trafficking victims. The government also maintained oversight and funding for shelters in three of the seven emirates, offering housing and assistance for all female and child sex trafficking and abuse victims across the country; protective services included medical, psychological, legal, educational, rehabilitation and reintegration, and vocational assistance. In 2017, The Aman (Safe) Center for Women and Children was established in Ras al-Khaimah. Some foreign workers, including potential trafficking victims, sought shelter assistance at their respective embassies and consulates in part due to fears of arrest and a lack of specified government services for forced labor victims.

While government-identified trafficking victims were not jailed or prosecuted for violations committed as a direct result of their being subjected to trafficking, other potential victims were reportedly jailed for absconding from their employers or for prostitution. However, the government reported it exempted from fines trafficking victims who had overstayed their visas or who were forced into prostitution. The government did not provide permanent or formal temporary residency status to victims; however, it permitted victims to stay in shelters to recover and participate in court proceedings, and worked with international organizations to resettle in third countries victims who could not return to their countries of origin. Officials resettled an unknown number of child trafficking victims in Europe and Australia during the reporting year. The government encouraged victims to assist in the investigation and prosecution of traffickers and provided victim-witness protective services, including private interview rooms, free legal counseling, and safe transportation to court hearings. Both police and shelter representatives reported victims often chose immediate repatriation—strictly at the UAE's expense—rather than remaining in country to testify against the traffickers. Laborers were entitled to seek new employment in the country after 60 days of wage non-payment by their existing employer, but in 2017 all government-identified victims chose repatriation.

PREVENTION

The government increased its prevention efforts. During the reporting year, the government signed Federal Law No. 10 of 2017 on domestic workers, which included the right for employees to retain personal documents, sign standardized contracts with unequivocally designated working conditions, access specialized tribunals for settling workplace grievances, and observe mandatory time off. It also stipulated in-home inspections on the basis of complaints or reasonable evidence of law violations. Under the law's provisions, a recruitment agency or person who hindered law enforcement, anyone

who disclosed information unveiled in an investigation, or anyone who facilitated the abandonment of a domestic worker may be jailed for a minimum of six months and ordered to pay a 10,000 to 100,000 AED ($2,720 to $27,230) fine. However, many of the law's articles were not fully enacted, and implementing regulations remained under development at the close of the reporting period. Furthermore, the existing government-mandated standardized contract for domestic workers did not conform to the new labor law. As domestic workers continued to transition from falling under the Ministry of the Interior's authority to that of MOHRE, new public-private partnerships, known as "Tadbeer Centers," began operation in the reporting year with the mandate to regulate the recruitment and training of domestic workers, educate them on their legal rights, resolve employer-employee disputes, and verify worker accommodations for compliance with domestic worker law minimum standards.

During the year, the government continued implementation of three ministerial labor decrees passed in 2016 and intended to reduce forced labor practices among private sector workers. The government continued its monitoring and inspection program for private sector manual laborers, including automated electronic monitoring of salary payments for 95 percent of the private sector workforce via the Wage Protection System (WPS), identifying and settling delayed wage payments for an unknown number of workers, and carrying out tens of thousands of labor-related inspections. Within the private sector, the government continued to investigate workers' complaints of unpaid wages through a dispute resolution process and the WPS, which were intended to ensure workers were paid according to their contracts, and employers were punished with administrative and financial penalties for failing to comply. Workers filed thousands of labor complaints through government-operated smartphone applications, telephone hotlines, websites, email, and formally with MOHRE offices and mobile units; violations routinely resulted in fines and suspended permits to hire new workers. However, domestic worker salaries were not required to be paid via the WPS and, coupled with cultural norms and the lack of legal provisions requiring inspections of domestic worker accommodations, wage payment and work hour abuses, among other acts indicative of forced labor, continued and left domestic workers at risk of exploitation. The government did not enforce a prohibition on employers withholding workers' passports, which remained a pervasive problem, especially for domestic workers.

The government continued to carry out its national action plan to address human trafficking, driven by the NCCHT. The plan focused on prevention, protection, prosecution, punishment, promotion of international cooperation, redress, rehabilitation, reintegration, and capacity building. Government shelter staff partnered with art galleries for visual art exhibits that showcased art made by trafficking victims, to both increase awareness and raise funds for other victims. The government also disseminated anti-trafficking awareness publications in 14 languages, which targeted at-risk communities and reached an unknown number of vulnerable people. It installed informational noticeboards at airports across the UAE targeting specific terminals based upon nationalities, and utilized radio broadcasting to increase general awareness on trafficking risks. Dubai Police and representatives from the Dubai Foundation for Women and Children (DFWAC) commenced the second year of a five-year anti-trafficking awareness plan during the reporting period targeting victims, witnesses, staff, and government authorities. Shelters engaged in a program for trafficking survivors that trained them to educate vulnerable groups on the risks of trafficking when they return to their respective home countries and communities. DFWAC partnered with companies such as L'Oreal and Benefit Cosmetics to implement employment training programs for the shelter's clients. In 2018, Dubai authorities developed a labor guideline handbook, available in Arabic, Urdu, and English.

During the reporting year, the government and an independent public opinion survey center also released the findings of a public opinion survey on awareness of human trafficking, ability to identify victims, and knowledge about official procedures to generate awareness and spark community debate. Interior ministry officials targeted labor camps for strategic outreach and distributed more than one million brochures on trafficking during 2017. In January 2018, the government signed an MOU with Thailand to combat trafficking crimes stemming from the labor-sending country and in September 2017, it signed an MOU with the Philippines that included steps to enhance labor cooperation and recruitment transparency between the two countries. It also had in place preventative MOUs with Armenia, Australia, Azerbaijan, Indonesia, and India. The MOHRE continued an extensive labor inspection program, conducting tens of thousands of housing and work site inspections using a team of full-time labor inspectors, in addition to seven dedicated anti-trafficking inspectors. Dubai Police also continued the Suitable Accommodation Program, conducting unannounced labor camp inspections to enforce compliance with the 12-person per room maximum occupancy rule. In 2017, the MOHRE trained 190 inspectors on trafficking and launched mobile outreach units that reached approximately 1,100 workers. The government did not take measures to reduce the demand for commercial sex acts in the UAE. The Ministry of Foreign Affairs and International Cooperation maintained provision of workshops and awareness programs on human trafficking for its diplomatic personnel.

TRAFFICKING PROFILE

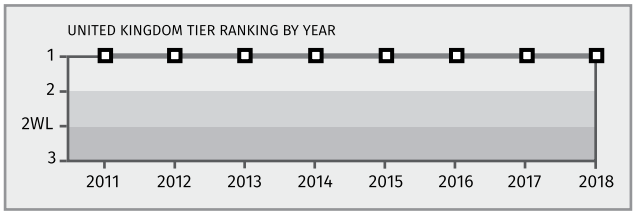
As reported over the past five years, the UAE is a destination and transit country for men and women subjected to forced labor and sex trafficking. Foreign workers, recruited globally, comprise nearly 90 percent of the UAE's private sector workforce. Low wage positions, including most manual labor and a significant portion of the service sector, are occupied almost entirely by migrant workers predominantly from South and Southeast Asia and the Middle East, with a growing percentage from East and West Africa; some of these workers are subjected to practices indicative of forced labor, such as passport retention, non-payment of wages, contract switching, fraudulent employment promises, and substandard food and housing provisions. Women from some of these countries travel willingly to the UAE to work as domestic workers, massage therapists, beauticians, hotel cleaners, or elsewhere in the service sector, but some are subjected to forced labor or sex trafficking after arrival. Sponsorship laws contribute to vulnerability to trafficking, particularly for domestic employees, by restricting the ability of employees to leave or change employers, and giving employers the power to cancel residence permits, deny employees permission to leave the country, and threaten employees with abuse of legal processes. Some women, predominantly from Eastern Europe, Central Asia, South and Southeast Asia, East Africa, Iraq, Iran, and Morocco, are subjected to forced prostitution in the UAE.

Although under UAE law employers must cover the cost of recruitment, and the UAE government has taken steps to further regulate recruitment in both the corporate and domestic sectors, many source-country labor recruiters charge workers exorbitant

fees, causing workers to enter service in the UAE owing debts in their respective countries of origin, increasing vulnerability to trafficking through debt bondage. Reports persisted in the domestic labor sector of deceitful employment promises, which were subsequently broken after individuals arrived in the country. Similar cases were reported among workers who circumvented labor protections by entering the country on tourist visas, with the intention of later converting these to work visas. The NCCHT reported that over the reporting period there was a trend of trafficking perpetrators from Asia.

UNITED KINGDOM: TIER 1

The Government of the United Kingdom (UK) fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the UK remained on Tier 1. The government demonstrated serious and sustained efforts by identifying significantly more potential victims, increasing the period of protection available for most victims, and greatly increasing funding for global and domestic anti-trafficking efforts. Although the government meets the minimum standards, the safeguarding of child victims needed increased attention and resources. Some victims remained cautious about entering the national referral system due to uncertainties in the system of the availability of extended care and fear of eventual deportation. Resources available for law enforcement efforts and victim support lagged compared to the increased number of victims identified by authorities.



RECOMMENDATIONS FOR THE UNITED KINGDOM

Expand nationwide the independent child trafficking advocate program and training for social workers and care providers to better safeguard child victims working with children; reform the national referral mechanism (NRM) to encourage victim participation, providing specialized services for all types of trafficking victims across UK jurisdictions regardless of immigration status; provide sufficient resources for expeditious processing of trafficking investigations and prosecutions, and increase restitution awards to victims; provide a trafficking-specific long-term alternative to deportation for foreign victims; extend the period of reflection and recovery for victims from a minimum of 45 days to 90 days across all UK jurisdictions; establish a database on investigations, prosecutions, convictions, and sentences of convicted traffickers across the UK, categorized by type of trafficking; intensify training for law enforcement personnel, public defenders, prosecutors, judges, and front-line responders, including in UK overseas territories; ensure that the statutory definition of trafficking under the Modern Slavery Act and similar provisions in Northern Ireland do not require movement of the victim as an element of the crime.

PROSECUTION

The government maintained prosecution efforts. The Modern Slavery Act of 2015, applicable to England and Wales, and similar statutes in Scotland and Northern Ireland, criminalized sex and labor trafficking and prescribed penalties of up to life imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Laws across the UK allow for the seizure of convicted traffickers' assets for payment to victims. There is an inconsistency in the definition of 'trafficking' between jurisdictions within the UK. Law in England/Wales and in Northern Ireland requires the element of movement of a victim in the definition of 'trafficking,' which is not required in the definition of 'trafficking' under the 2000 UN TIP Protocol. Scotland, by contrast, does not require victim movement in the definition of trafficking. However, all UK jurisdictions criminalize 'slavery and servitude' in other provisions wherein victim movement is not an element of the crime.

The government did not report the number of trafficking investigations initiated in 2016 or 2017. The Crown Prosecution Service, which handled cases in England and Wales, prosecuted 265 defendants on trafficking charges with 80 convictions in 2017, a decrease from 343 prosecutions and 216 convictions in 2016. Authorities in Northern Ireland reported prosecuting three trafficking cases with one conviction during the reporting period, compared to five prosecutions and two convictions in 2016. In Scotland, there were two convictions in 2017 compared to three convictions in 2016. The UK government did not report disaggregated data that differentiated between sex and labor trafficking. The government reported several cases in which convicted traffickers received significant penalties. In February, three Romanian residents of a women's refuge in Westminster provided evidence that led to the successful prosecution and conviction of their captors for sex trafficking, with two men receiving sentences of 14 years each. In the same month, two men were sentenced in another case to 12 years and four years respectively for sex trafficking. NGOs expressed concern that prosecutions lag and court-imposed sentences and fines were insufficient to deter potential perpetrators, and this contributed to victims' reluctance to provide testimony.

The government provided a wide variety and multiple levels of anti-trafficking training to law enforcement officers, prosecutors, and justice officials, and required new police recruits and detectives to complete training modules on trafficking. The national-level College of Policing launched a course for all front-line officers, as well as a four-day course for investigators requiring specialist skills, including training on the 2015 guidelines for improving victim identification. The anti-slavery commissioner implemented guidelines for training for all 43 police forces in England and Wales, including a manual for use by each unit in conducting their own trainings. The government trained 1,500 members of the judiciary in England and Wales. In Northern Ireland, police trained front-line officers and other agencies through a dedicated anti-human trafficking unit and created a position in the Department of Justice to improve data collection and create training modules. The Local Government Association, to strengthen anti-trafficking efforts outside of large cities, produced a guide for local police officers on trafficking indicators. The Home Office and UK law enforcement officials participated in 44 anti-trafficking operations across the EU. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses.

PROTECTION

The government increased protection efforts. Through the

NRM, authorities referred 5,146 potential trafficking victims for care nationwide in 2017, compared with 3,805 in 2016 and 3,266 in 2015. The largest source countries were Albania, Vietnam, and the UK, and a majority were victims of labor trafficking. Among adults, authorities referred 325 victims for domestic servitude, 1,132 for other forms of labor trafficking, 945 for sex trafficking, and 123 for unknown exploitation. The percentage of these victims who were minors increased by 66 percent in 2017, following a 30 percent increase in 2016. The Home Office attributed the increase to greater awareness of the NRM and training among professionals and first responders, greater awareness of child trafficking in general, and the frequent link to child sexual exploitation. Increased awareness by the public and authorities of gang recruitment of children as couriers of drugs was also a factor. Authorities referred 104 of the minors for domestic servitude, 473 for other forms of labor trafficking, 359 for sex trafficking, and 342 reported as unknown. The Modern Slavery Act includes a "duty to notify" requiring government agencies to report potential adult victims encountered to authorities via the NRM, and police who refer a potential victim must record a potential crime.

The NRM guides the process for identifying and providing care and support for victims. A first responder, such as police, border patrol, or local authorities, typically generated a referral. The Visas and Immigration section in the Home Office and the UK Human Trafficking Centre received referrals of potential victim; these officials conducted a preliminary review for "reasonable grounds" of trafficking. If found, there was a final determination of "conclusive grounds" that triggered an extension of victim protection measures. Upon a "reasonable grounds" decision, the victim started a 45-day reflection period with access to services such as accommodation, health care, and counseling, and then decided whether to assist in the investigation and prosecution of the perpetrator. The Modern Slavery Act required a final determination within 45 days, although in many cases the government did not meet this deadline. Following consultation with the anti-slavery commissioner and other stakeholders, the government announced it would grant an additional 45 transitional days of victim support (for a total of 90 days), an increase from the previous allowance of 14 days of transitional support. Scotland already followed a 90 day timeframe for reflection and recovery, although Northern Ireland remained at a single 45-day period. In addition, the government announced that first responders would refer potential victims to a "place of safety," where an on-call NGO would provide advice on entering the NRM. North Wales used a multi-faceted victim reception model to provide support within two hours after identification of a potential victim. NRM reform proposals included granting victims access to drop-in services from a designated NGO for an additional six months after transition out of the NRM.

The UK government-funded a £9 million ($12.2 million) NGO contract to coordinate the provision of care for adult victims in England and Wales under the NRM. In Northern Ireland, NGOs worked in tandem with government agencies to provide care for victims; however, NGOs cited insufficient funding for victims who did not enter the NRM or who required support following completion of their trafficking cases and remained in Northern Ireland. The Scottish government provided £800,000 ($1.1 million) toward victim support, an increase from £700,000 ($945,950) in 2016, distributed through two NGOs. Victims who returned voluntarily to their country of origin were eligible for up to £2,000 ($2,700) support toward reintegration. Foreign victims who assisted with investigations were eligible for residency up to one year, although authorities otherwise typically deported foreign victims after leaving the period of support under the NRM. As a result, some foreign victims preferred petitioning for asylum to entry into the NRM, given the potential for longer residency in the UK.

While government funding of NGOs tripled over the past four years to £9 million ($12.2 million), adequate funding remained a challenge in the face of rapidly growing numbers of identified victims. The National Crime Agency launched the "Vulnerable Persons Team," which granted assistance to avoid re-victimization once an investigation was completed. Similarly, the Wales Anti-Slavery Leadership Group's "Survivor Care Pathway" provided a long-term post-NRM individualized plan for survivors.

Children received care through local children's services offices. NGOs continued to raise concern over the need for mandatory training for social workers. The Modern Slavery Act provided for the appointment of Independent Child Trafficking Advocates (ICTA) to represent and support children victims throughout the legal process. The government released a plan to expand the number of ICTAs, already available in Wales, Hampshire, and Manchester, although NGOs asserted implementation had been slow. The government trained all ICTAs and provided £3 million ($4.1 million) over three years to address the issue of missing children at risk of re-victimization. Local authorities highlighted the issue particularly among Vietnamese youth, with 150 having gone missing from care or foster homes since 2015, and being especially vulnerable to trafficking by gangs in the illegal cultivation of cannabis. Scotland and Northern Ireland also required appointment of independent legal guardians for child victims of trafficking.

Victims had a statutory defense for crimes committed as a consequence of their trafficking, and courts allowed victims during hearings to testify by video, behind a screen, or with the public removed from the court. Courts could confiscate assets of convicted traffickers and compensate victims through reparation orders; however, progress was slow in providing this compensation to victims.

Foreign domestic workers who were trafficking victims could change employers during the six-month period following their admission, and any domestic worker who was a victim could remain in the UK for an additional two years. The government proposed a program for domestic workers on an employment visa for more than 42 days to provide a session to inform them of their rights and protections. NGOs still argued this policy of tying visa status to actual employment as a domestic worker continued to leave workers vulnerable and discouraged victims from reporting abuses. The government encouraged efforts of private companies to assist in reintegration, particularly through employment of survivors. Under the "Bright Future" campaign, a national retail cooperative hired and trained 30 survivors in partnership with an NGO, a model the government continued to promote for expansion.

PREVENTION

The government increased prevention efforts. The Prime Minister continued to chair a national coordinating task force set up in 2016. In September, the anti-slavery commissioner and the Evening Standard newspaper published results of their joint research on the effectiveness of anti-trafficking efforts in the UK, including the need for increased victim support, and stronger efforts against trafficking in the supply chain of consumer products. In October, the anti-slavery commissioner's annual

report highlighted achievements and outlined remaining challenges under the 2016-2017 strategic plan.

Police worked closely with the Home Office to provide information on anti-trafficking operations, reflected in the increased and wide-ranging UK media coverage on trafficking investigations. In partnership with police and an NGO, a major British bank trained staff at multiple branches on spotting signs of trafficking when serving customers, reporting suspicious activity for investigation, and following steps for freezing trafficking-related bank accounts. In September the Gangmasters and Labour Abuse Authority and Crimestoppers co-sponsored a highly publicized television campaign encouraging viewers to "spot the signs" of trafficking and report suspicious activity to authorities. In another campaign, members of parliament as well as police officers, male and female, painted and photographed their fingernails in a widely promoted social media effort to end trafficking in nail bars, using the hashtag #LetsNailit. The Clewer Foundation under the Church of England mobilized congregants nationwide to be alert to trafficking indicators, initially focusing on car wash services. A national helpline received 3,710 calls and 710 internet contacts in 2017, collectively indicating 4,886 potential victims, with 54 percent of calls considered possible trafficking cases.

Under the Immigration Act of 2016, the Gangmasters and Labour Abuse Authority continued to enforce labor standards in high-risk sectors, using their widened authority to investigate regulatory and criminal offenses in employment. The Joint Slavery and Trafficking Analysis Centre within the National Crime Agency focused on research and developing best practices in cybercrime, child protection, immigration crime, financial crime, effective training, and awareness building. The Modern Slavery Act required businesses with annual revenue exceeding £36 million ($48.6 million) to publish an annual statement detailing efforts to ensure its operations and supply chains are free of human trafficking. Many companies had developed toolkits, run training programs, and signed agreements with suppliers toward maximizing supply chain transparency. Some critics noted the lack of a penalty for non-compliance. The Home Office produced an evidence-based "Typology of Modern Slavery" to improve understanding of the complexities and multi-faceted dimensions of the crime. The typology contains operational guidance, recommendations on provision of services to victims and survivors, and ways the public can better spot the signs of a trafficking.

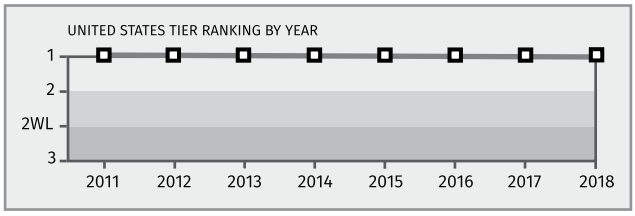
The government led efforts in both bilateral and multi-lateral contexts. In September the prime minister hosted a "Call to Action" event during the UN General Assembly securing endorsements for increased anti-trafficking efforts from 44 countries. The government committed £170 million ($229.7 million) to fund anti-trafficking foreign assistance efforts, double the current commitment, with strong focus on source and transit countries of victims entering the UK. The government did not report whether it provided anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions.

TRAFFICKING PROFILE

As reported over the past five years, the United Kingdom is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. The government estimates there are up to 13,000 trafficking victims in the UK, with one-fourth to one-third being children. Children in the care system and unaccompanied migrant children are particularly vulnerable to trafficking, although victims also include UK children. Victims in 2017 came from 116 countries, the top three being Albania, the UK, and Vietnam. Most identified victims are subjected to labor trafficking, forced to work in agriculture, cannabis cultivation, construction, food processing, factories, domestic service, nail salons, food services, the hospitality industry, car washes, and on fishing boats. In Scotland, the largest numbers of victims are from Vietnam, many forced to work in nail bars. In Northern Ireland, there are cases of perpetrators forcing victims into begging, and the cultivation and distribution of illicit drugs.

UNITED STATES OF AMERICA: TIER 1

The Government of the United States fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore the United States remained on Tier 1. The government demonstrated serious and sustained efforts by investigating and prosecuting both sex and labor trafficking, and increasing the number of prosecutions and convictions; providing services to a greater number of trafficking victims; providing various types of immigration relief for foreign national victims; continuing engagement with survivors to improve programs and policies on human trafficking; enhancing outreach initiatives through the development of materials for states and territories; and continuing funding for an NGO-operated national hotline and referral service that added text and online chat capabilities to improve accessibility. Although the government meets the minimum standards, anti-trafficking advocates continued to report that victim services were not always provided equitably, urging an increase in resources for, and equitable access to, comprehensive services across the country. Advocates reported a lack of sustained effort to address labor trafficking compared to sex trafficking, and also reported continued instances of state and local officials detaining or prosecuting trafficking victims for criminal activity related to their trafficking victimization.



RECOMMENDATIONS FOR THE UNITED STATES

Increase investigation and prosecution of labor trafficking cases; increase resources for, and equitable access to, comprehensive victim services across the country; ensure services include access to substance use disorder services, economic and educational opportunities, and short-term and/or transitional housing for all victims, including male and LGBTI victims; better integrate screening protocols in the context of immigration enforcement to enhance victim identification and protection efforts; encourage state, local, and tribal authorities to adopt policies not to prosecute victims for crimes they were forced to commit in the course of their trafficking situations; increase survivor engagement, including by more systematically

incorporating survivor input when forming policies, programs, and trainings; improve training for adjudicators of trafficking-related immigration benefits to reduce obstacles to processing; increase screening procedures to improve identification of trafficking victims, particularly among populations vulnerable to human trafficking, including at-risk youth, LGBTI individuals, and American Indians and Alaska Natives; enhance trafficking-related prevention efforts in temporary worker programs in the United States; ensure federal law enforcement officials are trained regarding requests for Continued Presence for eligible victims and are applying in a timely manner and in appropriate circumstances; increase the availability of trauma-informed and survivor-informed services for victims; improve the collection and reporting of data on law enforcement efforts and on victims identified and assisted; finalize federal acquisition regulations aimed at preventing trafficking in federal contracts; enhance prevention efforts to address all forms of human trafficking and the demand for commercial sex and labor trafficking; and improve the response to the increased use of technology to recruit and advertise human trafficking victims. As described in the Methodology section of this report, these recommendations were drawn from input from NGOs and advocates on the degree to which the United States meets the minimum standards set forth in the Trafficking Victims Protection Act of 2000 (TVPA).

PROSECUTION

The U.S. government increased the number of prosecutions and convictions, but demonstrated a decrease in investigations. The TVPA, as amended and codified in sections 1589, 1590, and 1591 of the federal criminal code, criminalizes sex and labor trafficking. The penalties prescribed under these provisions, which can include up to life imprisonment, are sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefiting financially from these acts. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud to recruit workers abroad to work on a U.S. government contract performed within or outside the United States, on U.S. property, or on military installations outside the United States. The U.S. Congress passed several laws that address human trafficking during the reporting period.

The Department of Justice (DOJ), Department of Homeland Security (DHS), and Department of State (DOS) are the primary investigating agencies for federal trafficking offenses, with federal human trafficking cases prosecuted by DOJ. These agencies also support victims by using victim assistance specialists during trafficking investigations and prosecutions. DOJ, in coordination with DHS and the Department of Labor (DOL), continued to develop complex human trafficking investigations and prosecutions, deliver advanced training, and streamline coordination protocols through the Anti-Trafficking Coordination Team (ACTeam) Initiative. DOJ provided $2.8 million in FY 2017 to two law enforcement agencies and two victim service providers that make up two Enhanced Collaborative Model (ECM) anti-trafficking task forces in partnership with other federal, state, local, and tribal law enforcement entities and community partners. This represents a significant decrease from $15.8 million for 11 ECM task forces funded in FY 2016. Several federal agencies participated in human trafficking task forces nationwide consisting of federal, state, and local law enforcement, as well as victim service providers.

NGOs and survivor advocates called for increased collaboration between law enforcement, service providers, and survivors, including in preparation for enforcement actions. They also called for the development of best practices to identify and respond to the increased use of technology, including social media, to recruit and advertise victims of human trafficking, including victims of child sex trafficking. NGOs praised DOJ's clarification to law enforcement officials in ECM task forces on the proper use of funds intended for victim identification and protections.

DOJ, as part of its labor trafficking initiative, conducted strategic public outreach to improve efforts to identify labor trafficking cases, including through the development and dissemination of indicator cards.

The federal government reports its law enforcement data by fiscal year. In FY 2017, DHS reported opening 833 investigations possibly involving human trafficking, a decrease from 1,029 in FY 2016. DOJ formally opened 782 human trafficking investigations, a decrease from 843 in FY 2016. (The FY 2016 number (843) represents a correction to the number cited last year (1,800), which in fact represented the number of pending cases rather than formally opened investigations.) DOS reported opening 169 human trafficking-related cases worldwide during FY 2017, a decrease from 288 in FY 2016. The Department of Defense (DoD) reported investigating 11 human trafficking-related cases involving U.S. military personnel compared to 13 in FY 2016.

DOJ initiated a total of 282 federal human trafficking prosecutions in FY 2017, an increase from 241 in FY 2016, and charged 553 defendants compared to 531 in FY 2016. Of these prosecutions, 266 involved predominantly sex trafficking and 16 involved predominantly labor trafficking, although some involved both. DOJ and DHS continued to partner with Mexican law enforcement counterparts to dismantle human trafficking networks operating across the U.S.-Mexico border. Through this collaboration, DOJ secured convictions against eight members of a transnational organized criminal sex trafficking enterprise. DHS scaled up border security and immigration enforcement activities consistent with Executive Order 13773 on enforcing federal law with respect to transnational criminal organizations and preventing international trafficking. The Department of the Treasury continued to analyze and disseminate information received from financial institutions related to human trafficking, and partnered with domestic and foreign government stakeholders to support human trafficking investigations, including through an international working group to enhance bilateral information-sharing and produce actionable information to disrupt financial flows connected to human trafficking.

During FY 2017, DOJ secured convictions against 499 traffickers, an increase from 439 convictions in FY 2016. Of these, 471 involved predominantly sex trafficking and 28 involved predominantly labor trafficking, although several involved both.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and non-trafficking criminal statutes, but they do not include child sex trafficking cases brought under non-trafficking statutes. Sentences ranged from one month to life imprisonment. DOJ developed training materials for U.S. Attorneys that included information about mandatory restitution, and provided training to federal, state, local, and tribal prosecutors, law enforcement officials, and NGOs.

Anti-trafficking advocates reported concerns about efforts to identify, investigate, and prosecute labor trafficking cases compared to sex trafficking, and continued to urge for more vigorous efforts, including additional training and resources for law enforcement, prosecutors, and judges. NGOs also continued to call for greater legal authority and funding for DOL and the Equal Employment Opportunity Commission (EEOC) to help address labor trafficking. In 2016, DOL's Office of Inspector General (DOL-OIG) became authorized to investigate labor trafficking offenses related to programs administered by DOL, pursuant to a Special Deputation Agreement between DOL-OIG and DOJ supplementing DOL-OIG's statutory law enforcement authority. Survivor advocates called for increased oversight of the informal sector, including begging and family businesses, to improve identification of victims. NGOs called for improvements in data collection and reporting related to law enforcement actions to ensure accuracy, including by separating data on human trafficking from other crimes.

State laws form the basis of most criminal actions in the United States. All U.S. states and territories have anti-trafficking criminal statutes. In addition, 39 states had vacatur laws allowing survivors to seek a court order vacating or expunging criminal convictions entered against them that resulted from their trafficking situation, and at least 34 states had "safe harbor" laws.

Advocates continued to report state and local authorities arrested trafficking victims for crimes committed as a direct result of being subjected to trafficking, including in massage parlors and drug trafficking, and in some states with "safe harbor" laws even children were arrested. In one jurisdiction, an NGO reported victims felt pressured to testify against their traffickers so they would not be prosecuted by state and local authorities themselves.

NGOs also noted a lack of sustained state and local government efforts to provide remedies for sex trafficking survivors who had criminal records as a result of their exploitation, and they continued to report that state and local law enforcement demonstrated uncertainty regarding their authority to investigate and prosecute forced labor cases and lacked formal structures to increase the identification of such cases.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting (UCR) Program. State participation had reached approximately 78 percent of the United States, but not all state and local jurisdictions participated. DOJ is in the process of updating the UCR system to encourage participating jurisdictions that have not been able to establish a viable crime data reporting system to better collect and report human trafficking data. Data from 2016 collected from participating jurisdictions are publicly available. In 2016, participating jurisdictions reported a total of 654 human trafficking offenses resulting in arrest or solved for crime reporting purposes, a significant increase from 387 in 2015. There is no formal mechanism for the federal government to track prosecutions at the state and local levels.

The government took actions to address alleged complicity in human trafficking by government employees. Authorities charged a municipal corrections officer with sex trafficking involving a 16-year-old. A municipal law enforcement officer was charged with sex trafficking, among other crimes. A U.S. Navy Seaman was charged with sex trafficking and an investigation was initiated against a U.S. Navy Petty Officer for conspiring to bring two victims from Thailand to Bahrain to subject them to sex trafficking.

The U.S. government continued to expand capacity-building efforts for law enforcement, judges, military personnel, and labor inspectors, among others, to more effectively respond to human trafficking cases. DOJ conducted training on increasing the identification of human trafficking cases, including through proactive labor trafficking investigations; supported training of more than 150 judicial officers on child sex trafficking risk factors, victim identification, and effective intervention strategies; facilitated more than 2,000 regional law enforcement trainings to help state and local law enforcement agencies develop effective responses to technology-facilitated sexual exploitation and internet crimes against children; and provided technical assistance to states, tribes, and local jurisdictions interested in developing innovative approaches to working with girls in the juvenile justice system, including child sex trafficking victims. In addition, in FY 2017, each U.S. Attorney's Office formulated a district-specific anti-trafficking strategy to enhance victim identification, investigation, prosecution, and collaboration. DHS provided training on detecting and investigating the crime to significantly more federal, state, local, and tribal law enforcement officials and stakeholders than in the previous reporting period. DHS also provided human trafficking training to foreign law enforcement, prosecutors, and victim service providers from 73 countries in collaboration with DHS Attaché offices. DOL completed the delivery of awareness training to all Wage and Hour Division investigators. The Department of the Interior (DOI) provided training to federal, state, local, and tribal law enforcement officers on human trafficking in Indian Country.

Some federal agencies engaged with survivors to incorporate their input in the development of victim-centered training for law enforcement and prosecutors.

Survivor advocates continued to call for greater collaboration, including at the state and local level, in developing training, as well as hiring survivor trainers.

PROTECTION

The U.S. government maintained protection efforts and continued to fund victim assistance for trafficking victims. The funding level decreased slightly from the previous year, although the number of victims served significantly increased. The government had formal procedures to guide officials in victim identification and referral to service providers; funded several federal tip lines, including an NGO-operated national hotline and referral service; and funded task forces and NGOs that provided trafficking-specific victim services. Comprehensive victim assistance funded by the federal government includes case management and referrals for medical and dental care, mental health and substance use disorder treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services.

The Department of Health and Human Services (HHS) issued Certification and Eligibility Letters for foreign victims to be eligible for benefits and services to the same extent as refugees, provided grant funding for comprehensive case management for foreign and domestic trafficking victims, and funded capacity-building grants for community-based organizations and child welfare systems to respond to trafficking. DOJ provided funding for victim-centered services for both domestic and foreign trafficking victims. Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies.

A Certification Letter enables foreign adult victims to be eligible to apply for federal and state services to the same extent as refugees when Continued Presence is granted or when a victim has a bona fide or approved application for T nonimmigrant status, as described further below. An Eligibility or Interim Assistance Letter allows immediate eligibility for federally funded benefits and services to the same extent as refugees when credible information indicates a child is or may be a victim of trafficking. HHS issued 446 Certification Letters to foreign adults in FY 2017 compared to 443 in FY 2016, and issued 509 Eligibility Letters to foreign children in FY 2017, a significant increase from 332 in FY 2016. Seventy-five percent of all adult victims certified in FY 2017 were victims of labor trafficking, slightly more than half of whom were female; and more than 72 percent of child trafficking victims who received Eligibility Letters were labor trafficking victims.

HHS awarded $6.6 million in FY 2017 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, a slight increase from $6.4 million in FY 2016. Through these grants, HHS supported 177 NGOs with the capacity to serve individuals in 99 cities across the country that provided assistance to a total of 1,531 individuals and their family members. In FY 2017, HHS provided $3.4 million, the same amount in FY 2016, for U.S. citizen and lawful permanent resident (LPR) victims of human trafficking to obtain trauma-informed case management and referrals. It provided $2.3 million to address trafficking within child welfare systems, a slight decrease from $2.5 million in FY 2016. HHS also piloted a leadership academy composed of survivors and anti-trafficking professionals that developed recommendations to enhance survivor-informed programming.

During FY 2017, DOJ provided $16.2 million for victim-centered services, which included $11.2 million for 18 victim service providers offering comprehensive and specialized services across the United States and $5 million to one organization to increase access to legal services for survivors through funding attorney fellowships across the country. This represents a decrease from 33 providers receiving $19.7 million in FY 2016. DOJ transferred $16 million to the Department of Housing and Urban Development to support a new initiative to address the housing needs of survivors. DOJ also provided $2.7 million in new funding for training and technical assistance to help service providers develop and implement housing and employment practices, and to support law enforcement members of ECM task forces. DOJ provided $1.9 million to support mentoring and comprehensive victim services for U.S. citizen victims of child sex trafficking and commercial sexual exploitation. From July 1, 2016, to June 30, 2017, DOJ grantees providing victim services reported 8,003 open client cases, including 4,349 new clients, a significant increase from 5,655 open client cases and 3,195 new clients reported the previous year and a respective 3,889 and 2,180 the year before that. DOJ's grantees reported that 66 percent of clients served during the reporting period were U.S. citizens or LPRs and 34 percent were foreign nationals. Grantees reported that 64 percent of clients served were victims of sex trafficking, 24 percent were victims of labor trafficking, four percent were identified as victims of both sex and labor trafficking, and the form of trafficking for eight percent was unknown.

During the year, HHS child protection specialists continued to provide training and technical assistance to identify child trafficking victims. When children are placed in the care and custody of HHS, they are screened for trafficking exploitation in the United States or abroad. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 141 child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2017, an increase from 122 served in FY 2016. This program requires states to provide such child victims with the same assistance, care, and services available to foster children.

NGOs and survivor advocates continued to express concern that in federally funded programs to provide comprehensive services for all victims of trafficking, comprehensive services were not always provided, and called for increased resources, capacity-building support, and more strategic spending of funds to ensure equitable access to services across the country. NGOs and survivor advocates called for increased availability of victim-centered, trauma-informed, and survivor-informed services for trafficking victims. NGOs called for increased access to mental health and substance use disorder support services for trafficking victims, and also called for access to comprehensive medical care. Survivor advocates and NGOs reported the need for more government oversight of the quality of assistance provided to trafficking victims by federally funded organizations. NGOs and survivor advocates continued to report insufficient access to shelter and long-term transitional housing options for trafficking victims, especially for men, boys, and LBGTI individuals, and called for increased access to long-term services. Advocates noted concern about human trafficking funding opportunities no longer referring to services for LGBTI individuals. Survivor advocates called for improvements to education, job training, and job placement for survivors to create more economic opportunities, including within the anti-trafficking field.

DHS provides trafficking-specific immigration options through Continued Presence, which is temporary, and T nonimmigrant status (commonly referred to as the T visa). T visa applicants must have been victims of a severe form of trafficking in persons, be in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry because of trafficking, and show cooperation with reasonable requests from law enforcement unless they are younger than 18 years of age or unable to cooperate due to trauma suffered. They must also demonstrate that they would suffer extreme hardship involving unusual and severe harm upon removal from the United States. T visa applicants may petition for certain family members, including certain extended family members who face a present danger of retaliation; T visa beneficiaries and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. T nonimmigrant status lasts for four years and may be extended under certain circumstances. After three years, or upon the completion of the investigation or prosecution, those with T visas may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship. DHS granted T nonimmigrant status to 672 victims and 690 eligible family members of victims in FY 2017, a decrease from 750 and 986 in FY 2016.

NGOs reported increased obstacles to obtaining a T visa, noting a rising number of requests for additional evidence by adjudicators, including requests that referred to outdated regulations, and called for improved training for adjudicators.

DHS manages all requests from federal and state law enforcement for Continued Presence, authorizing foreign nationals identified by law enforcement as trafficking victims

who may be potential witnesses to remain lawfully and work in the United States during the investigation and prosecution of the crime. In FY 2017, DHS issued Continued Presence to 160 trafficking victims, who were potential witnesses, an increase from 129 in FY 2016. DHS granted 113 extensions of Continued Presence, compared to 179 in FY 2016.

NGOs called for law enforcement to request Continued Presence expeditiously pursuant to DHS policy. Survivor advocates also called for increased training and collaboration for law enforcement provided by victim assistance specialists embedded in their law enforcement field offices.

Another form of immigration relief available to trafficking victims is U nonimmigrant status (commonly referred to as the U visa) for victims of certain qualifying crimes who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. DHS does not delineate the number of U visas issued based on the specific underlying crimes for which they were issued.

In FY 2017, a DOS program reunified 277 family members with identified victims of trafficking in the United States, compared with 279 in FY 2016. This program assisted one survivor to return home.

The U.S. government continued to provide training to federal, state, local, and tribal officials, as well as to NGO service providers and health and human service providers to encourage more consistent application of victim-centered and trauma-informed approaches in all phases of victim identification, assistance, recovery, and participation in the criminal justice process. Advocates called for specialized training for law enforcement and service providers on the linkage between substance use and human trafficking, including the use of drugs to coerce victims. DOJ included training on the linkage between the manipulation of drug addiction and coercion in its trainings on human trafficking provided to federal, state, and local law enforcement officials.

NGOs called for enhanced screenings within the criminal justice system to identify potential victims, especially minor victims. NGOs continued to report the criminalization of victims creates barriers to accessing public benefits, employment, financial aid for higher education, housing, and other needs essential to avoid re-trafficking and facilitate recovery. NGOs commended government efforts to improve the identification of child sex trafficking victims within the child welfare system and called for expansion of these efforts to include identification of labor trafficking victims.

In addition, advocates urged a victim-centered approach to immigration enforcement that would ensure foreign trafficking victims are not deterred from reporting their trafficking situation to law enforcement or from seeking help from service providers. Advocates called for improved screening protocols to prevent the removal or deportation of trafficking victims, and reported cases where immigration officials allegedly detained or deported individuals displaying key indicators of trafficking, including cases reported where immigrants were taken into custody when seeking protection at specialized human trafficking courts.

PREVENTION

The U.S. government maintained efforts to prevent trafficking. Federal agencies conducted numerous educational and training activities for their own personnel, including law enforcement and acquisition professionals, and field office staff. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons continued federal anti-trafficking efforts and its work with the presidentially appointed survivor advisory council. The government continued to implement its strategic action plan on victim services in the United States and publicly released the third status report for FY 2016 in August 2017.

The government continued public outreach measures on the causes and consequences of human trafficking and continued efforts to increase victim identification among vulnerable populations and sectors and improve prevention efforts. HHS continued to fund an NGO to operate the national human trafficking hotline, and added text and online chat capabilities to improve accessibility. In FY 2017, the hotline received 62,835 calls from across the United States and U.S. territories, identified 8,759 human trafficking cases, and provided resources and referrals to 10,615 victims. The hotline also received information on 4,863 potential traffickers and 1,698 businesses facilitating human trafficking. More than 2,000 individuals who identified as victims of trafficking directly called the hotline seeking help. U.S. embassies and consulates worldwide continued to provide applicants for temporary work and exchange visitor visas a "Know Your Rights" pamphlet and, in key countries, continued to play a related video in consular waiting rooms. In FY 2017, the pamphlet generated 714 calls to the national hotline compared to 459 calls generated by the pamphlet in FY 2016.

In 2017, DHS continued its nationwide human trafficking awareness Blue Campaign and, with input from trafficking survivors and other partners, developed new products, including a new public service announcement focused on labor trafficking. DHS held more than 1,100 training and engagement events with NGOs and law enforcement. HHS launched new educational materials that incorporated stakeholder and survivor input and created 59 fact sheets that provide an overview of anti-trafficking activities and available resources in states and territories. DOL launched a mandatory new course to educate all DOL employees on recognizing indicators of human trafficking. DOL also trained corresponding state authorities to identify and refer cases of human trafficking, and to respond to sexual harassment and human trafficking issues routinely faced by farmworkers. The Department of Transportation (DOT) and DHS continued to train airline personnel on recognizing and responding to indicators of human trafficking in addition to fostering new partnerships with airlines and aviation industry associations, and DOT continued to grow its group of public and private sector transportation stakeholders to maximize the transportation industry's collective impact on combating human trafficking. In FY 2017, EEOC, in partnership with community-based organizations, conducted 199 trafficking outreach events, reaching more than 10,600 individuals, and conducted nine training sessions for 357 staff and representatives of state and local fair employment practice agencies on identifying and developing trafficking-related charges of discrimination. EEOC also continued its efforts to increase public awareness about human trafficking with its human trafficking resource guide. The Department of Agriculture (USDA) offered several training modules to its personnel and local law enforcement officers on how to identify and combat human trafficking. The Department of Education (ED) partnered with HHS and survivor experts to hold a briefing for school administrators, parents, and the public to promote awareness of child trafficking in schools. DOS continued to provide anti-trafficking training for its diplomatic personnel, and launched a new course on protection from sexual exploitation and abuse that includes information on sex trafficking. The U.S. Agency for International

Development (USAID) funded 33 anti-trafficking projects worldwide and continued its mandatory online training for all employees on its code of conduct, which prohibits all employees from engaging in human trafficking or any behaviors that may facilitate trafficking, such as commercial sex.

NGOs continued to call for a more comprehensive approach to address the factors and conditions that increase vulnerabilities to human trafficking, and survivor advocates called for federal educational materials to include more examples of all forms of human trafficking. Advocates called for efforts to estimate the prevalence of human trafficking in the United States.

NGOs continued to allege human trafficking of workers in the United States on work-based or other nonimmigrant visas. Advocates continued to call for enhanced protections for workers in temporary worker visa programs, including regulatory changes to uncouple work visas from an employer or sponsor. They also called for regulatory changes that would protect individuals in certain temporary worker programs to the same extent as other workers. In addition, NGOs called for the allocation of more resources to protect workers from unscrupulous recruiters, and one NGO called for increased transparency and accountability for temporary worker programs and for agencies to develop a database to share visa and job-related information with workers in real time.

Under the H-2A and H-2B programs, employers are barred from seeking or receiving payments from workers for any activities related to obtaining labor certification or employment, including job placement and recruitment fees, and salary and wage deductions, and both programs require that the terms of employment be disclosed. DOL continued to maintain an online list of H-2B foreign labor recruiters to increase transparency in the recruitment process, help workers verify legitimate H-2B job opportunities in the United States, and better enforce recruitment violations; this list does not certify or indicate recruiters' compliance with the recruitment fee ban. DOJ and DOS approved a formal mechanism to share information on employers that may be abusing employment-based immigrant and nonimmigrant visa programs to enhance oversight and enforcement of these programs.

NGOs continued to report that workers were still being charged prohibited fees and called for increased government enforcement of the recruitment fee ban.

In FY 2017, DOL issued 9,797 H-2A and 6,599 H-2B temporary labor certifications. DOL does not accept temporary labor certification applications for processing if the employer discloses that it charges a prohibited fee to the worker. DHS does not delineate reasons for H-2A and H-2B denials, thus data related to the number of denials based upon prohibited fee practices is unavailable. DOL and DHS continued to share data related to immigrant and nonimmigrant labor certifications and petitions.

DOS continued its oversight of the J-1 Visa Exchange Visitor Program, which includes the Summer Work Travel (SWT), intern, and au pair programs. DOS continued to monitor program participants to help safeguard their health, safety, and welfare and to identify and investigate program fraud and abuse. DOS conducted field monitoring of the SWT program in the 2017 summer and winter seasons, visiting 965 SWT exchange visitor sites in 24 states and the District of Columbia. DOS also continued community outreach efforts in 19 states with significant SWT populations. DOS continued to liaise with law enforcement on criminal investigations relating to the J-1 Visa Exchange Visitor Program. In July 2017, a Nevada man was sentenced to 26 months in prison and three years' supervised release, along with two co-defendants sentenced to five years of probation, for exploiting more than 200 intern and trainee exchange visitors; the three were ordered to pay more than $1.6 million in restitution. The number of complaints and incidents reported to DOS involving the SWT program declined during the reporting period.

Reports continued to allege abuse under the au pair program involving au pairs working extra hours without additional pay and not receiving the appropriate wage for their placement jurisdiction.

In February 2018, a federal appeals court in Colorado ruled a certified class of immigration detainees who alleged they were forced to work in violation of the TVPA during their detention in a privately owned and operated prison company contracted by DHS could proceed. DHS is not party to the lawsuit. During the reporting period, similar lawsuits were filed against privately owned and operated prison companies contracted by DHS in California.

In 2017, DOS continued to administer its domestic worker In-Person Registration Program for A-3 and G-5 visa holders employed by foreign mission and international organization personnel, respectively, in the Washington, DC, area.

Civil enforcement of federal laws continued to be a significant component of the government's anti-trafficking efforts. DOL investigated complaints and conducted targeted civil labor investigations involving workers in industries and sectors known to be vulnerable to labor trafficking. In FY 2017, DOL continued enforcement activities in industries including agriculture, landscaping, hotels, seafood, and reforestation.

During the reporting period, EEOC, which enforces federal employment discrimination statutes, continued to pursue cases on behalf of and ensure compensation for victims of trafficking, but did not file any new cases. Federal law also allows a person subjected to trafficking to independently file a civil cause of action, and there were cases in which individuals filed a civil cause of action during the reporting period.

In FY 2017, EEOC received 10 new charges of discrimination linked to human trafficking. It also resolved nine similar pending charges and recovered $272,500 in monetary benefits for charging parties through the administrative process. As of September 30, 2017, EEOC had 27 pending charges linked to human trafficking. During the reporting period, EEOC implemented its new guidance on national origin discrimination that provides EEOC's interpretation of national origin based employment discrimination law, including human trafficking.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD investigated 10 cases of service members allegedly violating DoD's prohibition on procuring commercial sex, compared to at least seven investigations the previous year. DOJ continued to prosecute individuals who pay or attempt to pay for commercial sex involving children. For example, in 2017, one such defendant received a sentence of 220 months in prison for child sex trafficking.

NGOs continued to call for increased efforts to address the demand for commercial sex, including efforts to prosecute those who solicit sex from trafficking victims.

DOJ and DHS continued to proactively investigate allegations of child sex tourism offenses perpetrated overseas by U.S. citizens and partnered with foreign law enforcement counterparts to share information regarding international travel of registered child sex offenders. Nine defendants were convicted of federal child sex tourism charges in FY 2017 compared to 10 in the previous reporting period. Offenders who abuse children abroad may have been prosecuted under other statutes, and prosecutions based on other statutes are not reflected in this statistic. DOJ, along with DHS, DOS, and DoD, continued to implement a strategy to track registered sex offenders traveling internationally.

DOJ and other federal law enforcement agencies continued to investigate allegations of debt bondage and excessive recruitment fees required of third-country nationals working on certain U.S. government contracts abroad, but no federal criminal prosecutions of employers or labor contractors resulted from these investigations in FY 2017. DoD took action against noncompliant employers or labor contractors from U.S. programs resulting in 22 suspensions, six debarments, one job termination, and one compliance agreement.

During the reporting period, the government did not finalize a clarification in the form of a definition of "recruitment fees" in the context of the Federal Acquisition Regulation, "Ending Trafficking in Persons," which strengthens protections against trafficking in federal contracts; or guidance for federal contractors in anti-trafficking risk management best practices and mitigation considerations.

DHS enforces a law that prohibits the importation of goods made by prohibited forms of labor, including forced labor. DHS issued one Withhold Release Order from April 1, 2017, to March 31, 2018, for a shipment of goods on grounds it was produced by forced labor. The government also enacted a new law during the reporting period that extends this prohibition to any goods produced by North Korean workers. DOL released a mobile and web application that provides companies and industry groups practical guidance on how to identify risks of forced labor in their supply chains and mitigate or remediate abuses.

Survivor advocates reported the need for increased data on human trafficking within American Indian and Alaska Native communities and called for increased resources focused on tribal communities.

In September 2017, the government established an ad hoc working group to increase the effectiveness and coordination of its anti-trafficking efforts focused on American Indian and Alaska Native communities. DOI led an interagency working group to develop a set of resource maps that identify federal victim assistance personnel working in Indian Country for distribution to federal law enforcement and victim service personnel. DOI also delivered awareness training to more than 1,300 attendees, including new disciplines and organizations, such as the National Indian Gaming Commission, medical services, and states developing human trafficking task forces. DHS filmed a new trafficking training video for American Indian communities developed with survivor input, and entered into a formal partnership with a new human trafficking working group established by the mayor of Anchorage, Alaska, to collaborate on local efforts and provide training and resources. DOJ grantees organized the first tribal-specific national conference on sex trafficking, which brought together tribes; federal, state, and local agencies; and advocates, including NGOs and survivor advocates. DOJ provided support to improve law enforcement responses to missing, endangered, and abducted children, including cases of child sex trafficking in American Indian and Alaska Native communities. HHS released a toolkit developed with survivor input to educate American Indian youth, and produced webinars specific to American Indian populations to increase public awareness, identify victims, connect victims to services, and prevent human trafficking.

The Government Accountability Office reported that challenges include a criminal justice infrastructure inadequate to meet the needs of Indian Country, limited victim services, including culturally relevant services, and barriers to proactively identifying victims.

U.S. INSULAR AREAS

Trafficking in persons is believed to occur in the U.S. insular areas, including American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands (USVI).

In Guam and CNMI, members of DOJ-led human trafficking task forces continued to engage with community partners to provide victim services, train law enforcement, and share strategies for improving victim identification. DOJ also continued to advance an initiative that enhances coordination with stakeholders in the Pacific Region on victim services, law enforcement responses, training, community outreach, and prevention programs. In addition, DOJ held a human trafficking awareness training that included government officials and NGOs from Guam and CNMI. In Puerto Rico and USVI, DOJ participated with DHS in task forces designed to raise awareness of and combat human trafficking.

HHS provides services to foreign victims of trafficking in American Samoa, Guam, CNMI, Puerto Rico, and USVI. As part of the victim assistance funding previously mentioned, DOJ made two awards in FY 2016 to NGOs providing comprehensive and legal services to trafficking victims in CNMI. In FY 2017, the HHS-funded national hotline received 19 calls from U.S. territories, with the majority of those calls coming from Puerto Rico. HHS provided grant-funded training and technical assistance in American Samoa, Guam, CNMI, Puerto Rico, and USVI in FY 2017.

Authorities indicted a man for sex and labor trafficking, involving victims in USVI and Florida, where one of the charges included forcing a woman to clear debris caused by Hurricanes Irma and Maria from his mother's property.

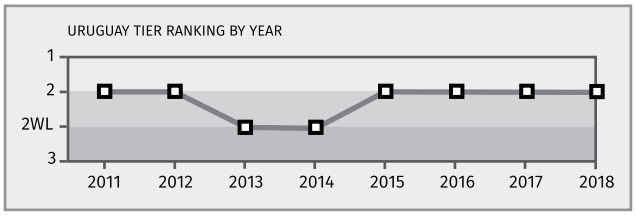
TRAFFICKING PROFILE

The United States is a source, transit, and destination country for men, women, transgender individuals, and children—both U.S. citizens and foreign nationals—subjected to sex trafficking and forced labor. Trafficking occurs in both legal and illicit industries, including in commercial sex, hospitality, traveling sales crews, agriculture, janitorial services, construction, restaurants, care for persons with disabilities, salon services, massage parlors, fairs and carnivals, peddling and begging, drug smuggling and distribution, and child care and domestic work. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Government officials, companies, and NGOs have continued to express concern about the risk of human trafficking in global supply chains, including in federal contracts. Victims originate from almost

every region of the world; the top three countries of origin of federally identified victims in FY 2017 were the United States, Mexico, and Honduras. Populations in the United States vulnerable to human trafficking include: children in the child welfare and juvenile justice systems; runaway and homeless youth; unaccompanied children; American Indians and Alaska Natives; migrant laborers, including undocumented workers and participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with low literacy; persons with disabilities; LGBTI individuals; and participants in court-ordered substance use diversion programs. NGOs noted an increase in the use of technology to recruit and advertise victims of human trafficking. Some U.S. citizens engage in child sex tourism in foreign countries.

URUGUAY: TIER 2

The Government of Uruguay does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Uruguay remained on Tier 2. The government demonstrated increasing efforts by increasing both investigations and prosecutions, identifying more trafficking victims, allocating increased funding for the care of female victims, and continuing work on passage of a comprehensive anti-trafficking bill and national action plan. However, the government did not meet the minimum standards in several key areas. The government did not report convicting any traffickers, efforts to provide specialized victim services remained inadequate, and prevention efforts decreased.



RECOMMENDATIONS FOR URUGUAY

Vigorously investigate and prosecute labor trafficking, forced prostitution, and child trafficking, and hold traffickers accountable with strong sentences; increase availability of specialized services, including shelters, for trafficking victims, especially outside the capital and for male victims, and continue services throughout investigation and prosecution; increase anti-trafficking training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers, particularly to identify and assist victims of sex and labor trafficking, such as those in prostitution; approve the comprehensive anti-trafficking bill and finalize the national action plan; develop victim identification procedures and increase training for border patrol officials; develop and operationalize a data collection system to maintain official statistics on anti-trafficking law enforcement and victim identification efforts; increase coordination between government agencies and civil society; and increase public awareness campaigns to inform the public about trafficking and about services available to potential victims; and revise the definition of human trafficking under Uruguayan law to more closely align with the definition in the 2000 UN TIP Protocol.

PROSECUTION

The government maintained prosecution efforts. Article 78 of the 2008 immigration law criminalized sex and labor trafficking, prescribing penalties of four to 16 years imprisonment, which were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Article 79 made it a crime punishable by two to eight years imprisonment to facilitate the movement of persons into or out of the country for human trafficking. Article 81 provided enhanced penalties for both articles 78 and 79 when the crime was committed by a habitual offender or by police or other safety officials and when the victim was a child. Inconsistent with the definition of trafficking under international law, article 81 established the use of force, fraud, and coercion as aggravating factors rather than essential elements of the crime.

The Uruguayan Senate approved the draft comprehensive anti-trafficking bill developed by the Interagency Committee to Prevent and Combat Trafficking in Persons. The proposed legislation focused on prevention, investigation, support for victims of trafficking, and data collection. It remained pending in the Uruguayan House of Representatives at the end of the reporting period.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and there was no system for tracking court cases. Individual courts and police departments were the primary repositories for data collection. In 2017, the government initiated 10 trafficking investigations, compared with six investigations in both 2016 and 2015. The government reported 23 sex trafficking prosecutions, compared with four prosecutions in 2016 and 15 in 2015. The government did not report whether it convicted any perpetrators, compared with three convictions in 2016 and zero in both 2015 and 2014. The three convictions reported during the previous reporting period remained under appeal. Authorities did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

The gender unit in the Attorney General's Office focused on investigating and prosecuting crimes related to trafficking and the exploitation of children. The Ministry of Interior (MOI) and an NGO jointly organized a workshop on victim identification for 38 police officers. The Ministry of Social Development (MIDES) held 16 sessions for 593 government officials on combating sexual exploitation of women. The MOI held a training course for 39 police officers on combating gender-based violence.

PROTECTION

The government increased protection efforts. The National Institute for Women (Inmujeres), under MIDES, was the principal provider of services for female victims of abuse. Inmujeres reported assisting 172 victims of trafficking (71 new cases, 101 initiated during previous reporting periods), an increase from 131 in 2016. More than half of those assisted were foreign victims; it was not reported how many were victims of commercial sexual exploitation as compared to victims of forced labor. An NGO partially funded by the government separately reported they provided services to more than 200 female trafficking victims, of which approximately 150 were Dominican. The National Institute for Children and Adolescent Affairs reported assisting more than 500 cases of sexual exploitation of minors in 2017, an increase from 333 in 2016; it was unclear how many were victims of trafficking.

The Ministry of Labor reported identifying potential trafficking victims during a routine inspection of a private construction site in Montevideo; the case was still pending further investigation. Inmujeres continued outreach to the interior of the country through a 14-member mobile unit with psychologists, social workers, and lawyers who provided psychological support, social services, and legal guidance.

Border officials did not have standard procedures to identify trafficking cases. The MOI and other law enforcement officers closer to the capital used a standardized protocol to investigate, respond to, and assist trafficking victims. The government continued distribution of this protocol to law enforcement officials, labor inspectors, prosecutors, judges, and social workers. An NGO noted there were limited avenues available for the public to contact authorities with suspected cases of trafficking. While a formal victim referral process existed between the government agencies and NGOs, numerous NGOs reported that they were not aware of this process or that the process was unclear.

The government provided 7.7 million pesos ($267,730), an increase from 4.6 million pesos ($159,940) in 2016, to Inmujeres to assist adult female sex trafficking victims and women in prostitution with psychological, medical, and other services and to an NGO to provide assistance for female trafficking victims. MIDES was the principal provider of services for trafficking victims. Services specialized exclusively for trafficking victims did not exist in Uruguay; the government provided trafficking victims services used for other vulnerable populations, such as the homeless, refugees, and citizens on welfare. There were no shelters designated for trafficking victims, so temporary and long-term housing solutions, funded by the government, were determined on a case-by-case basis. There were no specialized services for male victims. According to an international organization, the government provided services for victims for 30 days, after which victims received general support similar to that provided to homeless people. Foreign victims had the same access to care as domestic trafficking victims, including children.

The government provided protective measures, through formal victim protection protocols, to encourage victims to assist in the investigation and prosecution of their traffickers. According to an international organization, the government did not, in practice, provide several of the protective measures, such as victim relocation, changes of identity, and economic assistance. There were no reports victims were penalized for acts committed as a direct result of being subjected to trafficking. While the government did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or hardship, general asylum and work permits were available for foreign trafficking victims.

PREVENTION

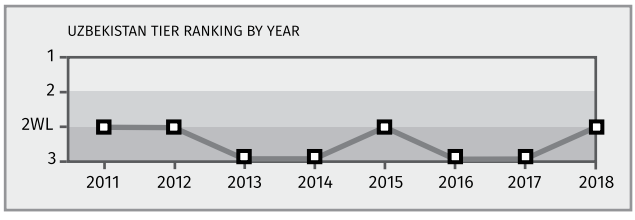
The government decreased prevention efforts. The interagency committee met monthly, including meetings specifically to develop a national action plan, which remained incomplete at the end of the reporting period. NGOs noted a decline in awareness campaigns conducted by the government during the reporting period. Local government committees hosted several awareness activities, including marches, and a seminar focusing on preventing gender-based violence. The Uruguayan parliament's trafficking committee hosted a screening of a trafficking-themed film by a Uruguayan filmmaker during International Trafficking Day in July. Inmujeres operated a free, 24-hour hotline to request assistance from MIDES. The government made efforts to prevent child sex tourism, but did not otherwise make efforts to reduce the demand for commercial sex or forced labor. While the government inspected legal brothels and massage parlors, inspectors lacked specific procedures to identify trafficking. Prior to their deployment, authorities gave peacekeeping troops a handbook that included a chapter on exploitation and sexual abuse.

TRAFFICKING PROFILE

As reported over the past five years, Uruguay is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Uruguayan women and girls—and to a more limited extent transgender adults and male adolescents—are subjected to sex trafficking within the country. Uruguayan women and LGBTI individuals are forced into prostitution in Spain, Italy, Argentina, and Brazil. Women from the Dominican Republic, and to a lesser extent from South American countries, are subjected to sex trafficking in Uruguay. Foreign workers, particularly from Bolivia, Paraguay, Brazil, the Dominican Republic, and Argentina, are subjected to forced labor in construction, domestic service, cleaning services, elderly care, wholesale stores, textile industries, agriculture, fishing, and lumber processing. Uruguayan officials have identified citizens of other countries, including China and the Dominican Republic, transiting Uruguay en route to other destinations, particularly Argentina, as potential victims of sex and labor trafficking.

UZBEKISTAN: TIER 2 WATCH LIST

The Government of Uzbekistan does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Uzbekistan was upgraded to Tier 2 Watch List. These achievements included taking substantive actions towards ending the use of forced adult labor during the annual cotton harvest by increasing remuneration to pickers and cotton procurement prices; demobilizing students and, to a lesser extent, partially demobilizing some in other government-directed labor sectors; allowing full unimpeded access to international third-party monitors; and engaging in dialogue with activists and treating them in a more humane manner. At the highest levels, the government publically acknowledged as a problem forced labor in the cotton harvest. The government conducted a substantial campaign to raise awareness of the prohibition against child labor in the harvest for a fourth year, and reports of children being mobilized were extremely limited. Despite these achievements, government-compelled forced labor remained during the 2017 cotton harvest; approximately 336,000 pickers of an estimated 2.6 million workforce were forced laborers. The government did not consistently implement its ban on the mobilization of public sector employees. It demonstrated decreased efforts in victim identification, as well as the investigation and prosecution of suspected traffickers.



RECOMMENDATIONS FOR UZBEKISTAN

Continue substantive actions to end the use of forced adult labor, including during the annual cotton harvest, through such measures as eliminating cotton production quotas and increasing remuneration and improving working conditions for workers in the cotton harvest; fully implement commitments to neither mobilize teachers, medical workers, and college and lyceum students in forced labor, nor require them to pay for replacement pickers; provide adequate mechanisms to enable all citizens to refuse to participate in the cotton harvest or other work outside their professional duties without suffering consequences; respecting due process, increase investigations and, when sufficient evidence exists, criminally prosecute officials complicit in human trafficking, including officials involved in mobilizing forced labor; improve procedures for identifying trafficking victims to ensure they are systematic and proactive; continue efforts to investigate and prosecute suspected traffickers, respecting due process; continue granting independent observers full access to monitor cotton cultivation and fully cease harassment, detention, and abuse of activists for documenting labor conditions, and investigate, and, when sufficient evidence exists, criminally prosecute persons complicit in human trafficking identified by observers; continue implementing the national action plan for improving labor conditions in the agricultural sector; continue to modify agricultural policies to reduce pressure for farmers and officials to compulsorily mobilize labor for the cotton harvest; continue promoting awareness of labor rights, including in regard to the cotton harvest; continue improving processes for registering and investigating violations of labor rights; fund anti-trafficking NGOs assisting and sheltering victims who were not admitted to the state-run shelter; develop formal mechanisms to ensure victims are not penalized for acts committed as a result of being subjected to trafficking, including for illegal border crossing and losing personal identification documents; and amend the criminal code to protect the identities of trafficking victims and encourage prosecutors to proactively seek victim restitution in criminal cases.

PROSECUTION

The government decreased law enforcement efforts. Article 135 of the criminal code criminalized labor and sex trafficking and prescribed penalties of three to five years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with punishments prescribed for other serious crimes, such as rape. For the fourth year in a row, investigations, prosecutions, and convictions declined. The government conducted 609 investigations, including 204 cases of sexual exploitation and 32 cases of labor exploitation, and prosecuted 314 cases for crimes related to trafficking in 2017, compared to 651 investigations and 361 prosecutions in 2016 and 696 investigations and 372 prosecutions in 2015. Authorities reported convicting 405 people for crimes related to trafficking in 2017, compared to 451 in 2016. The government reported that 204 of the crimes investigated in 2017 were related to sexual exploitation. The government did not provide sufficient detail to determine if the reported statistics related to trafficking or sexual exploitation met the definition of trafficking under the TVPA. The government reported convicting 391 perpetrators under article 135, including 33 recruiters; 233 convictions carried a prison sentence, 81 carried conditional sentences, 57 carried limitation of freedom, three carried a sentence of correctional labor, two were required to pay fines, and 15 individuals were granted amnesty.

The Ministry of Interior (MOI) maintained an investigatory unit dedicated to trafficking crimes. The government provided trafficking-specific training to police, judges, and other authorities. In addition to attending state-funded training, government officials participated in seminars and conferences sponsored by the government and taught by NGOs, international organizations, and foreign governments. Despite official complicity in the cotton harvest and other sectors with forced labor, the government did not report any criminal investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period. It reported issuing administrative fines to 14 officials in 2017, compared to nine in 2016, for forced labor violations; the government levied administrative penalties also in Andijon region, in spite of the public promise made by the regional Hokim to criminally prosecute senior officials complicit in the recruitment of teachers, school and college students, as well as workers of medical institutions. For the first time, the government initiated investigations into allegations of forced labor when reported by activists.

PROTECTION

The government decreased efforts to identify, assist, and protect victims of sex and transnational labor trafficking, and it made limited efforts to assist victims of forced labor in the cotton harvest or other internal sectors. The government identified 440 victims of trafficking-related crimes in 2017, a decrease from 714 in 2016 and 924 in 2015. Media reported that 47 percent of the government-assisted victims were women and 53 percent were men. The government did not provide details on how many of these victims endured exploitation in Uzbekistan. The government did not identify any victims of foreign origin and reported that the majority of identified victims were subjected to sex trafficking abroad. NGOs and an international organization identified and assisted 676 trafficking victims in 2017 (327 in 2016 and 774 in 2015), the vast majority of which were subjected to labor exploitation abroad. Uzbekistan's diplomatic missions abroad helped repatriate 40 victims, a decrease from 109 victims in 2016, by issuing travel documents, and worked with IOM to provide food, clothing, and transportation to victims to facilitate their repatriation to Uzbekistan. The government lacked a standardized process to proactively identify victims from vulnerable populations and refer those victims to protective services, especially those subjected to internal trafficking, which led to the penalization of potential victims, particularly those in prostitution. Police, consular officials, and border guards who were able to identify potential trafficking victims could refer them to either a state-run shelter or NGOs for services. To be eligible to receive government-provided rehabilitation and protection services, the government required victims to file a criminal complaint with the authorities in their community of origin, after which the MOI had to decide whether or not to initiate an investigation and grant official victim status to the individual. As a result, NGOs reported local officials regularly referred victims who did not wish to pursue a criminal case to NGO offices for assistance.

The government allocated approximately 540 million soum ($67,250), an increase from 496 million soum (approximately $61,770) in 2016, to operate its Tashkent-based trafficking rehabilitation center for men, women, and children with official victim status. The government did not provide definitive data on the number of victims assisted at this facility in 2017, compared to 460 victims in 2016. This center provided shelter, medical, psychological, legal, and job placement assistance. Victims could discharge themselves from the shelter, although in previous

years, authorities at times required victims to stay to assist a criminal case. The center had the capacity to accommodate foreign victims, but there have been no foreign victims in the shelter since its opening. The government provided funding to local NGOs to conduct vocational trainings and provide health services for victims, in addition to according them tax benefits and the use of government-owned land. These NGOs provided critical services because officials referred victims of sex trafficking to them, and those who did not wish to pursue a criminal case and were therefore ineligible to access the state-run shelter. The law does not exempt transnational sex and labor trafficking victims from facing a criminal penalty for illegally crossing the border. NGOs reported authorities dropped these charges when NGOs proved to authorities the victims were subjected to human trafficking. NGOs also noted that MOI officials increasingly complied with legal requirements to maintain victim confidentiality; however, victims' identities were not kept confidential during court proceedings. Victims could bring civil suits against traffickers, but the government did not provide legal representation for victims, and most victims could not afford legal representation on their own; despite the absence of an effective mechanism to seek restitution from their traffickers, one trafficking victim received court ordered restitution in 2017.

PREVENTION

The government increased prevention efforts. The government took steps to modify agricultural policies that created pressure for the use of forced labor, including by increasing wages to pickers, increasing cotton purchasing prices to farmers, and beginning implementation of its commitment not to mobilize teachers, medical workers, and college and lyceum students. The 2017 harvest marked the fourth consecutive year the government conducted a nationwide campaign to raise public awareness of its prohibition of child labor in the cotton harvest. International observers and Uzbek activists acknowledged the government's eradication of systemic child labor, including systemic compelled child labor, although anecdotal reports of forced child labor continued in a limited number of instances. The government, in coordination with the ILO, conducted an awareness raising campaign to ensure all citizens were aware of their labor rights. The campaign featured over 400 roadside banners along major highways, and the distribution of brochures and posters to educational and health care facilities, as well as informative commercials on major television and radio networks. However, the central government continued to demand farmers and local officials fulfill state-assigned cotton production quotas, leading to the mobilization of adult forced labor; the ILO estimated that of the workforce of approximately 2.6 million, at least 336,000 were forced or coerced to work. Farmers who were unable to fulfill their quotas risked losing the rights to farm their government leased land; there was at least one report of this occurring during the reporting period. Although teachers, students, and medical workers were initially mobilized, the government did implement a recall of these groups from the cotton fields in the early stages of the harvest in September 2017. The ban on these pickers was unevenly implemented, with reports that some public sector employees returned to the fields within weeks of the demobilization. According to observers, the 2017 harvest saw an unprecedented increase in the coercion of public sector employees to pick cotton, or pay for a replacement worker, creating a penalty for not participating in the forced labor system. Officials required, and in some cases compelled, state employees and adult students to sign labor agreements or statements that they would pick cotton voluntarily. Independent observers asserted that public employees were instructed to tell monitors that they were unemployed. "Cotton command units," led by local government officials, personally visited households of unemployed people or the homes of individuals who did not show up in the fields in order to ensure their mobilization.

For a third consecutive year, the government agreed to allow the ILO to monitor the cotton harvest for child and forced labor, allowed ILO monitors access to the cotton fields accompanied by government monitors, and allowed the ILO to publish the results of a survey of the prevalence of child and forced labor during the 2017 harvest. ILO monitors were granted unimpeded access to interview laborers, unlike in previous years. Although, as in previous years, a government official accompanied ILO monitors to field observations, the official was not privy to the observation location before the monitoring team arrived at the destination, and did not observe or participate in the interviews. The official's participation served largely to ensure access to the fields if local officials questioned the ILO's presence. The government continued to publicize its Cotton Harvest Feedback Mechanism, which included telephone hotlines and messaging apps dedicated to receiving reports of labor violations, receiving over 7,300 inquiries and complaints, 121 of which were related to labor rights during the cotton harvest. Of the complaints received, 36 were related to forced labor and eight resulted in the discovery of confirmed child labor cases. Government officials identified 641 persons forced into the fields, opened 42 lawsuits, issued 116 administrative citations, and issued fines totaling 220.5 million soum ($27,460) as a result of information received through the feedback mechanism. Observers reported concerns about the effectiveness of the feedback mechanism, stating that some pickers had concerns about reprisals or the effectiveness of investigations. Although activists reported less physical abuse and decreased harassment as compared to previous years, temporary detentions, surveillance, and some harassment continued. For the first time, in 2017 the government investigated forced labor cases identified by activists, resulting in administrative penalties for local officials. Media reported on forced labor practices for the first time; bloggers who highlighted forced labor problems were not penalized or censored. Some state media outlets featured audio or video recordings of public officials encouraging civil servants to participate in the cotton harvest, which publicly shamed the officials and increased labor rights awareness.

The government slightly reduced the area of land available for the cultivation of cotton and increased its capacity for mechanization by continuing to develop appropriate cotton cultivars and by training farmers on mechanization. The government continued several projects aimed at modernization of the cotton industry, including a five-year partnership on agricultural reform with the World Bank, which included measures to prevent forced labor; a four year Decent Work Country Program extension to improve employment opportunities, working conditions and social protections; and began implementation of pilot projects with the International Finance Corporation and private companies to work on mechanization and responsibly cultivated cotton. Additionally, the government implemented ILO recommendations, such as increasing both remuneration to pickers and purchasing prices available to farmers.

The Uzbek Agency for Foreign Labor Migration increased outreach to prospective labor migrants, serving to reduce potential risks of trafficking among this population. The Agency conducted pre-departure consultations on labor and migration laws in the country of destination. The government reported 34 migrants used these centers before departures for work in

Russia. The government also signed agreements with Russia, Japan, and Poland in 2017 to establish centers for training workers for jobs in these countries. A representative Russian Ministry of Interior office opened in Samarkand in November 2017. Media reports indicate that 12 Uzbek citizens found employment in Poland through the agreement.

The national government conducted monitoring visits and provided training to a national network of local-level commissions. Authorities promoted wide-scale public awareness efforts on transnational sex and labor trafficking, including through events, print media, television, and radio, often through partnering with and providing in-kind support to NGOs. The government maintained several hotlines in addition to the cotton harvest feedback mechanism—one of which provided free legal advice; in 2017 the lines received 125 requests related to migration and human trafficking. An NGO maintained a foreign donor-funded hotline. The NGO received 2,879 phone calls; among these calls were 224 allegations of human trafficking and 712 requests for repatriation. The organization accepted 70 repatriation requests by trafficking victims and assisted a total of 205 people. The government prohibited the participation of educational institutions in scrap metal collection. The government did not conduct efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

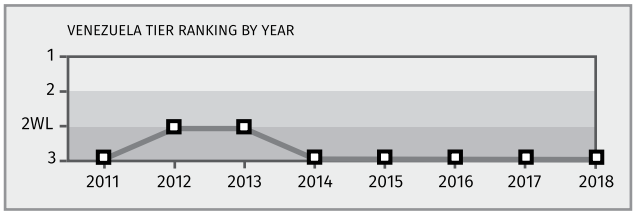
As reported over the past five years, Uzbekistan is a source and destination country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. The ILO and observers noted that the systemic mobilization of child labor was eliminated, although there were anecdotal reports of the use of child labor in some areas. Government-compelled forced labor of adults, including employees of schools and medical facilities, remained during the fall cotton harvest, and spring planting and weeding. During the 2017 cotton harvest, approximately 336,000 pickers of an estimated 2.6 million workforce were forced laborers. Despite its August decree banning mobilization of certain sectors, the government initially mobilized those under the age of 18, as well as employees in educational and medical sectors, university students, teachers, and medical workers for the 2017 cotton harvest. It unevenly implemented its September 2017 directive recalling employees of schools and medical facilities, as well as university students, from the cotton fields. International reports indicate some adults who refuse to pick cotton, do not pay for a replacement worker, or do not fulfill their daily quota can face the loss of social benefits, termination of employment, or other forms of harassment. According to some observers, the 2017 harvest saw an increase in the coercion of public sector employees, creating a penalty for not participating in the forced labor system. Private companies in some regions mobilized employees for the harvest under threat of increased government inspections of and taxes on their operations. There were reports of employees of such companies being fired for not participating in the 2017 harvest. Independent harvest monitors noted that the government's demobilization of lyceum and university students was largely successful.

Government-compelled forced labor of adults remained in other sectors as well. There were isolated reports stating that local officials forced farmers to cultivate silk cocoons and, separately, that local officials forced teachers, students (including children), private businesses employees, and others to work in construction and other forms of non-cotton agriculture and to clean parks, streets, and buildings. During the 2017 harvest, the government continued to arrest independent activists attempting to observe the spring weeding and the fall harvest, though at decreased intervals and without reports of extreme abuses, as compared to previous years.

Uzbek women and children were subjected to sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Uzbek men, and to a lesser extent women, were subjected to forced labor in Kazakhstan, Russia, Moldova, Turkey, and in other Asian, Middle Eastern, and European countries in the construction, oil and gas, agricultural, retail, and food sectors.

VENEZUELA: TIER 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Venezuela remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including training of government officials on trafficking indicators, vulnerable populations, and investigation techniques, and the arrest of at least seven individuals suspected of human trafficking. However, the government did not report prosecuting or convicting traffickers, and did not report identifying or assisting any trafficking victims.



RECOMMENDATIONS FOR VENEZUELA

Provide specialized services for all trafficking victims, including comprehensive assistance and care to repatriated victims of trafficking, working in partnership with civil society organizations and other service providers; strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish traffickers; draft and enact comprehensive anti-trafficking legislation criminalizing all forms of trafficking, including the criminalization of child sex trafficking without elements of force, fraud, or coercion, and the trafficking of men and boys; implement formal procedures and training for identifying trafficking victims among vulnerable populations, such as persons in prostitution, and for referring victims for care; develop and publish an anti-trafficking action plan and allocate resources to implement it; enhance interagency cooperation by forming a permanent anti-trafficking working group; ensure that upon exit, migrant workers receive educational material on human trafficking including risks of exploitation and where to call for help if needed; and improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government maintained inadequate law enforcement efforts. Venezuelan law criminalized all forms of trafficking of women and girls, through a 2007 law on women's rights that prescribed penalties of 15 to 20 years imprisonment. Inconsistent with international law, the law required a demonstration of force,

fraud, or coercion to constitute a child sex trafficking, and therefore did not criminalize all forms of child sex trafficking. Venezuelan law failed to criminalize trafficking of men and boys when perpetrators were not part of an organized criminal organization. The law addressing organized crime criminalized trafficking by organized criminal groups of three or more individuals, with penalties of 20 to 30 years imprisonment. The penalties for these trafficking crimes were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The legislature did not pass a draft anti-trafficking law, first introduced in 2010.

Venezuelan authorities did not report the total number of trafficking cases investigated or individuals prosecuted or convicted for trafficking in 2017. According to government websites and media reports, the government conducted at least two trafficking investigations involving seven suspects. The government did not report prosecuting or convicting any traffickers during the reporting period. The government publicly reported the organized crime office (ONDOFT) held several training sessions, including a three-day training for incoming National Guard cadets on trafficking indicators, prevention, and understanding vulnerable populations; a training for 30 airport and migration officials on investigation techniques; and training for security personnel on victim identification and assistance. Officials reported lack of funding made trainings difficult to execute. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government did not report making efforts to identify or protect victims. ONDOFT reportedly operated a 24-hour hotline to receive reports of suspected trafficking cases. The government did not report on the existence of formal procedures for identifying trafficking victims among vulnerable populations or referring victims to services. Victim referrals to different government entities, including ONDOFT and the women's ministry, occurred on an ad hoc basis. The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. The government reportedly made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—were extremely limited. The government did not report providing assistance to repatriated Venezuelan trafficking victims during the reporting period. NGOs and international organizations reported authorities did not penalize victims for unlawful acts committed as a direct result of being subjected to trafficking, although children forced to beg were often threatened and physically abused by police. International organizations continued to file asylum and relief from deportation requests for Colombian victims who feared reprisals from traffickers or criminal organizations if they returned to their country of origin, but the government did not report whether any requests were filed in 2017.

PREVENTION

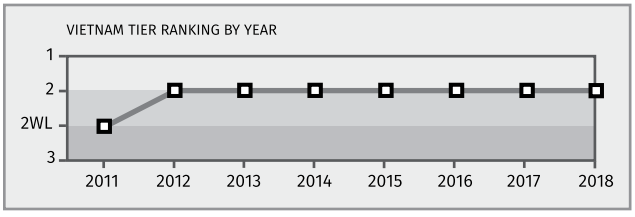
The government made minimal prevention efforts. No permanent anti-trafficking interagency body existed, and the government did not have an anti-trafficking plan or strategy. The government did not report conducting awareness activities and observers reported efforts to raise awareness significantly decreased due to limited funding. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Venezuela is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. As the economic situation deteriorated, the mass migration of Venezuelans to neighboring countries increased. During the reporting period, alleged victims of trafficking from Venezuela were identified in Aruba, Colombia, Costa Rica, Curacao, Dominican Republic, Ecuador, Guyana, Mexico, Panama, Peru, Spain, Suriname, and Trinidad and Tobago. Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, are subjected to sex trafficking and child sex tourism within the country. Venezuelan children are exploited within the country, frequently by relatives, in domestic servitude. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Ecuadorians, Filipinos, and other foreign nationals are subjected to domestic servitude by other foreign nationals living in Venezuela. Venezuelan officials reported an increase of sex trafficking in the informal mining sector.

VIETNAM: TIER 2

The Government of Vietnam does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Vietnam remained on Tier 2. The government demonstrated increasing efforts by enacting penal code amendments, establishing a new task force to increase law enforcement efforts in vulnerable border areas, and initiating an assessment of the implementation of its national action plan. However, the government did not meet the minimum standards in several key areas. It identified significantly fewer victims than in 2016, and authorities did not proceed with ongoing criminal cases in the absence of formal implementation guidelines on the new penal code amendments. Anti-trafficking efforts continued to suffer from a lack of interagency coordination, unfamiliarity among provincial officials with anti-trafficking legislation and victim identification procedures, and underdeveloped data collection. Despite continued reports of official complicity, the government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses.



RECOMMENDATIONS FOR VIETNAM

Develop and train officials on implementing guidelines for

Articles 150 and 151 of the new penal code, with a focus on identifying and investigating forced labor and internal trafficking cases; vigorously prosecute all forms of trafficking and convict and punish traffickers, including in cases involving forced labor or complicit officials; strengthen efforts to monitor labor recruitment companies and enforce regulations prohibiting the imposition of recruitment fees; align and implement policies to identify and assist victims among vulnerable groups, such as migrant workers, individuals in prostitution, and child laborers, and train relevant officials on these procedures; amend the penal code to criminalize all forms of child sex trafficking consistent with international law; improve interagency cooperation to effectively implement the anti-trafficking national action plan, including by clarifying the roles of national and provincial-level government entities, fully integrating trafficking data collection into law enforcement efforts, and allocating sufficient resources to the national action plan; develop programs that reduce stigma and promote reintegration of trafficking returnees; in consultation with civil society, tailor awareness-raising campaigns to geographic- and sector-specific vulnerabilities and evaluate them to ensure maximum benefit to high-risk communities; allow independent verification that Vietnamese drug users are no longer subjected to forced labor in government-run rehabilitation centers; and expand training for consular officials on worker rights and international labor standards.

PROSECUTION

The government increased law enforcement efforts. In January 2018, penal code amendments criminalizing all forms of labor trafficking and most forms of sex trafficking came into effect. Article 150 criminalized labor and sex trafficking of adults and prescribed penalties of five to 10 years imprisonment and fines of 20 million to 100 million Vietnamese dong (VND) ($880 to $4,400). Article 151 criminalized labor and sex trafficking of children under the age of 16 and prescribed penalties of seven to 12 years imprisonment and fines of 50 million to 200 million VND ($2,200 to $8,810). These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. Inconsistent with international law, Article 150 required a demonstration of force, fraud, or coercion to constitute a sex trafficking offense involving children between the ages of 16 and 17 years old; it therefore did not criminalize all forms of child sex trafficking. The Ministry of Justice (MOJ) reported distributing updated legal documents on Articles 150 and 151 and training judges nationwide on their application. However, the government did not issue formal implementation circulars for the amendments; prosecutors cited this lack of guidance in failing to conclude eight trafficking cases initiated against as many as 14 suspected traffickers under disparate criminal code provisions. For the sixth consecutive year, the government did not prosecute any suspected traffickers under labor trafficking provisions of the 2012 anti-trafficking law. Authorities continued to develop a national database on trafficking statistics for the fourth year, but did not make demonstrable progress on bringing it closer to integration with law enforcement efforts or judicial proceedings. Disparate government bodies continued to report discrepant, overlapping, or incomplete data on anti-trafficking law enforcement and victim identification, and authorities often did not disaggregate trafficking offenses from possible migrant smuggling cases. According to MFA, the Ministry of Public Security (MPS), Vietnam Border Guards (under Ministry of Defense), and Vietnamese diplomatic missions—often in cooperation with foreign partners—identified 350 trafficking cases involving more than 500 alleged offenders (234 and 308, respectively, in 2016). The procuracies reported initiating the prosecution of 245 defendants for trafficking offenses (295 in 2016) and the court system secured 244 convictions (275 in 2016); sentences ranged from less than three years to 30 years imprisonment. During the reporting period, the government signed bilateral anti-trafficking agreements with Australia and continued similar negotiations with Malaysia and the United Kingdom.

A lack of coordination across provincial-level agencies, persistent budgetary constraints, poor understanding of the relevant legislation among local officials, and confusion about individual provinces' roles and responsibilities in the context of the national action plan continued to hamper effective law enforcement efforts. Observers noted the authorities often prosecuted domestic trafficking under statutes pertaining to operation of an illegal business, kidnapping, or illegal detention, all of which carried lesser penalties. Provincial authorities often did not replicate central government coordination mechanisms and activities in accordance with the national action plan, and there was no mechanism for the MPS—which led interagency anti-trafficking efforts—to transfer necessary funds to other government bodies for anti-trafficking activities. Police continued efforts to mainstream trafficking content into the training curriculum for new recruits, and the MPS organized trainings for local police in several cities. The Border Guard Command established a special anti-trafficking task force and conducted investigations in vulnerable border areas known for high prevalence of the crime, but statistics on the number of investigations or prosecutions initiated because of these efforts were unavailable. Some complicit officials, primarily at commune and village levels, reportedly accepted bribes from traffickers, overlooked trafficking indicators, and extorted profit in exchange for reuniting victims with their families. The government did not report any investigations, prosecutions, or convictions of officials complicit in trafficking offenses despite these trends.

PROTECTION

The government decreased efforts to protect victims. In 2017, authorities reported identifying 670 victims—a decrease from 1,128 in 2016—but did not provide statistics disaggregating cases by type of trafficking, victim age or gender, source, or destination. Informally, MPS officials estimated the vast majority of identified cases involved transnational trafficking. The government maintained common victim identification criteria as part of the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT) and maintained its own formal procedure for victim identification, but did not proactively or widely employ either mechanism among such vulnerable groups as women arrested for prostitution, migrant workers returning from abroad, and child laborers. The government did not systematically refer victims to protective services due to inadequacies in its formal referral process, including some border guards' unfamiliarity with trafficking crimes, a lack of inter-jurisdictional cooperation, and incomplete data collection processes. NGO observers reported officials in the Mekong Delta Region deliberately ignored trafficking indicators or rescinded formal victim designations in order to downplay prevalence of the crime for political reasons, leading to fewer victim referrals to protection services. National authorities did not devote adequate funds for victim protection in 2017 and reportedly began encouraging provincial governments to use their own funds for trafficking programs to further decentralize this responsibility. The government did not report the status of the national survey it funded and conducted in 2016 on victim repatriation and reintegration. Foreign victims, including

children, remained at high risk of deportation without screening or referral to protective services. Some officials continued to conflate trafficking with migrant smuggling, which precluded the identification of victims who voluntarily migrated abroad.

In 2017, the government reported assisting approximately 500 victims—a decrease from 600 in 2016—with initial psychological counseling, health care consultations, and legal and financial assistance; the government reported providing an unspecified number of victims with vocational training, employment opportunities, and lines of credit at a reduced interest rate. There were no shelters designated exclusively for male or child victims, although existing shelters assisted all victims as needed. The Ministry of Labor, Invalids, and Social Affairs (MoLISA) maintained two rooms in a government-run shelter devoted to trafficking victims transiting through Ho Chi Minh City, where they could stay for up to two months. MoLISA and a government-affiliated women's union often referred victims to NGOs depending on their individual needs. MoLISA operated a 24-hour hotline for trafficking victims; authorities reported receiving approximately 2,700 calls to this hotline—over half of which were from children—and referring 65 cases to NGO services. MoLISA continued operating 400 social protection centers through local authorities to provide services to a wide range of vulnerable groups, including trafficking victims; these centers were unevenly staffed, under-resourced, and lacked appropriately trained personnel to assist victims. The women's unions, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban cities, including one dedicated to trafficking victims. The unions reported assisting 14 victims in 2017 and helped to repatriate 35 Vietnamese women and children subjected to trafficking overseas. An NGO collaborated with border guard and social service officials to provide initial support to more than 100 returnees. An international organization reported providing return and reintegration assistance to 11 victims, including 10 Vietnamese fishermen formerly subjected to forced labor and one sex trafficking victim. However, due to insufficient recordkeeping, the total number of identified victims benefiting from government or NGO protection services was unclear. NGOs reported psycho-social services for victims remained underdeveloped and provincial-level government officials focused too heavily on poverty reduction in lieu of strengthening more urgently needed services for victims. Authorities did not report how many victims received government cash subsidies for food, clothing, and other essential needs.

The government maintained labor representatives at diplomatic missions in countries with large numbers of documented Vietnamese migrant workers. These missions could provide basic provisions, transportation, and health care to Vietnamese citizens subjected to trafficking abroad. The government reported repatriating 138 Vietnamese victims identified in China and three from Cambodia, and providing other forms of assistance to five Vietnamese victims identified in Thailand and one in France. However, some diplomatic personnel reportedly lacked sufficient training to adequately assist victims, and NGOs reported some overseas missions were unresponsive to foreign countries' attempts to connect them with Vietnamese victims—especially in Malaysia. The government encouraged trafficking victims to assist in judicial proceedings against traffickers and offered them some protection and compensation; however, the extent to which these measures were applied remained unknown. The law protected victims from prosecution for crimes committed as a result of having been subjected to trafficking, but NGOs reported victims were less likely to come forward about their abuses in a judicial setting due to fears that they may face arrest or deportation. Endemic social stigma associated with victimhood and concerns over retribution in their local communities likely further discouraged many victims from seeking or benefiting from protection services. According to an international organization, the government repatriated approximately 20 Cambodian and Indonesian female victims with the assistance of their respective embassies; it was unclear how these victims were identified or whether the government provided other forms of assistance prior to their return. The government did not offer foreign victims legal alternatives to their removal to countries where they may face retribution or hardship.

PREVENTION

The government maintained efforts to prevent trafficking. During the reporting period, it continued to implement the third phase of the 2016-2020 National Anti-Trafficking Action Plan (NAP) to address forced labor, improve victim services, and implement the revised anti-trafficking statute. It also initiated a five-year assessment on NAP implementation benchmarks. However, authorities did not allocate sufficient funding to carry out the plan for a third year; failure to issue implementing guidelines on new penal code statues and a lack of inter-ministerial cooperation generally hampered effective implementation. The government was unable to complete some NAP activities absent the approval of implementation circulars. The government conducted workshops and hosted community dialogues on vulnerabilities to labor trafficking, targeting areas with a high prevalence of agricultural labor, construction, and foreign contract labor recruitment—especially of women. Public awareness-raising activities included advertisements, interventions at schools in vulnerable geographic areas, and broadcast media campaigns. Observers noted many high-risk communities found it difficult to connect with the content of these awareness campaigns, indicating a need for improved localization. During the reporting period, the Ministry of Information and Communications directed state-run media to air more than 1,000 documentaries and news stories to raise public awareness on trafficking.

In 2017, the government entered into a Memorandum of Cooperation with the Government of Japan to improve protections for Vietnamese participants in Japan's Technical Intern Training Program (TITP). NGOs reported pre-departure fees and deposit requirements for Vietnamese migrant workers ranging from 6.5 million to 65 million VND ($290 to $2,860) increased their vulnerability to debt bondage overseas, especially under the auspices of the TITP in Japan. The government continued efforts to reduce the demand for commercial sex acts, including through its ongoing Prostitution Prevention and Combating Program (2016-2020). The program aimed to reduce demand through educational campaigns targeting consumers of commercial sex and income-generation opportunities for persons in prostitution. The government required anti-trafficking training for its diplomatic personnel prior to their departure to overseas posts.

TRAFFICKING PROFILE

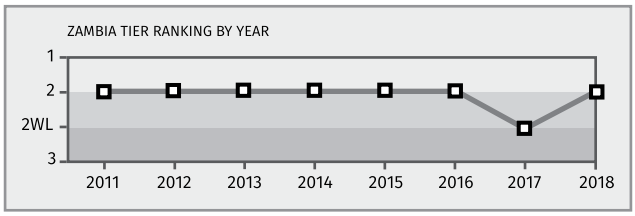
As reported for the last five years, Vietnam is a source and, to a lesser extent, a destination country for men, women, and children subjected to sex trafficking and forced labor. Vietnamese men and women migrate abroad for work independently or through state-owned, private, or joint-stock labor recruitment companies. Some recruitment companies are unresponsive to workers' requests for assistance in situations of exploitation,

and some charge excessive fees that make workers vulnerable to debt bondage. Some victims are subjected to forced labor in construction, fishing, agriculture, mining, logging, and manufacturing, primarily in Taiwan, Malaysia, Republic of Korea, Laos, Angola, United Arab Emirates, and Japan; there are increasing reports of Vietnamese labor trafficking victims in the United Kingdom and Ireland (including on cannabis farms), continental Europe, the Middle East, and in Pacific maritime industries. Vietnamese women and children are subjected to sex trafficking abroad; many are misled by fraudulent employment opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, and elsewhere in Asia, including Thailand, Malaysia, Republic of Korea, Taiwan, and Singapore. Some Vietnamese women who travel abroad for internationally brokered marriages or jobs in restaurants, massage parlors, and karaoke bars—including to China, Japan, Korea, Malaysia, Saudi Arabia, Singapore, and Taiwan—are subjected to domestic servitude or forced prostitution. Pronounced social stigma associated with prostitution, especially in Vietnam's rural areas, complicates protective service provision for female victims of sexual exploitation, and places them at higher risk of recidivism. False advertising, debt bondage, passport confiscation, and threats of deportation are tactics commonly used to compel Vietnamese victims into servitude. Traffickers increasingly use the internet, gaming sites, and particularly social media to lure potential victims into vulnerable situations; men often entice young women and girls with online dating relationships and persuade them to move abroad, then subject them to forced labor or sex trafficking. Some traffickers pose as police officers on social media networks to gain victims' trust. Vietnamese organized crime networks recruit Vietnamese adults and children under pretenses of lucrative job opportunities and transport them to Europe—particularly the United Kingdom—and subject them to forced labor on cannabis farms.

Within the country, Vietnamese men, women, and children—including street children and children with disabilities—are subjected to forced labor, although little information is available on these cases. Adults are also reportedly subjected to trafficking for the purpose of organ removal. Children are subjected to forced street hawking and begging in major urban centers. Some children are subjected to forced and bonded labor in informal garment and brick factories, in urban family homes, and in privately run rural gold mines. Many children from impoverished rural areas, and a rising number from middle class and urban settings, are subjected to sex trafficking. Girls from ethnic minority communities in the northwest highlands are increasingly subjected to forced services, including sex slavery and domestic servitude, by traffickers channeling their criminal activities through the traditional practice of bride kidnapping. Child sex tourists, reportedly from elsewhere in Asia, the United Kingdom and other countries in Europe, Australia, Canada, and the United States, exploit children in Vietnam. A 2014 legal provision requires a judicial proceeding before detention of drug users in compulsory drug rehabilitation centers and restricts detainees' maximum workday to four hours. Although the government reports that it no longer subjects drug users to forced labor in rehabilitation centers, there has been no independent verification of these claims, and international organizations and media report that authorities continue the practice. Complicit Vietnamese officials, primarily at commune and village levels, facilitate trafficking or exploit victims by accepting bribes from traffickers, overlooking trafficking indicators, and extorting profit in exchange for reuniting victims with their families.

ZAMBIA: TIER 2

The Government of Zambia does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Zambia was upgraded to Tier 2. The government demonstrated increasing efforts by initiating more prosecutions and securing more convictions than in the previous year. The government integrated modules on human trafficking into the training curricula for law enforcement and immigration officials and trained such officials. The government identified more victims and referred all identified victims to protective services; it refurbished a shelter for women and girls and increased its anti-trafficking budget for the second consecutive year. The government revived the national secretariat as well as its inter-ministerial committee, which met on December 1, 2017, and cooperated with neighboring governments to share expertise as part of a Southern African Development Community (SADC) regional cooperation initiative. However, the government did not meet the minimum standards in several key areas. Officials continued to conflate cases of migrant smuggling and trafficking, particularly with an influx of refugees fleeing conflict in the Democratic Republic of the Congo (DRC), and did not adequately screen potential Zambian victims of forced labor who returned from Namibia. The government reviewed and updated the 2012-2015 national action plan to combat trafficking, but it remained pending at the close of the reporting period.



RECOMMENDATIONS FOR ZAMBIA

Proactively identify trafficking victims by accurately distinguishing between migrant smuggling and trafficking victims and refer them to protective services; amend the trafficking law to define child sex trafficking as not requiring that force, fraud, or coercion be used and to define trafficking as a crime that does not require movement of the victim; vigorously investigate and prosecute sex and labor trafficking cases within Zambia involving both children and adults; formalize and implement victim identification and referral procedures, and train law enforcement and social welfare officials on their use, including among vulnerable populations; expand the availability of shelters; train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; increase the number of labor inspectors and ensure they are trained on trafficking indicators; strengthen coordination and collaboration efforts between relevant ministries; finalize an updated multi-year national anti trafficking strategy and action plan and continue to conduct public awareness campaigns; and compile and make public information on trafficking cases and trends.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. The Anti Trafficking Act of 2008 criminalized some forms of labor and sex trafficking. Inconsistent with the definition

of trafficking under international law, the law only defined an offense as trafficking if it involved transnationality. Additionally, the law required a demonstration of threats, force, intimidation, or other forms of coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex trafficking. The act prescribed penalties ranging from 20 years to life imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated 22 potential trafficking cases involving Ethiopian, Congolese, Rwandan, Zambian, and Somali perpetrators or victims, both adults and children, compared to 23 in 2016. The government prosecuted four traffickers, convicted all four traffickers, and sentenced them to 25 years imprisonment, compared with zero prosecutions and zero convictions during the previous reporting period. All four prosecutions and convictions were the result of a single case involving three Congolese and one Zambian trafficker who exploited 14 Congolese victims in Zambia. The Ministry of Labor and Social Security (MLSS) Child Labor Unit used mediation with parents as the usual process for handling child labor cases and did not criminally investigate such cases for potential trafficking violations. The government did not investigate or prosecute companies for labor trafficking in the mining and agricultural sectors and had limited capacity to monitor these sectors; during the previous reporting period there were allegations that large or foreign companies and foreign governments exerted influence over officials, preventing investigations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. The government integrated modules on human trafficking into the training curricula for Zambia Correctional Service, the Zambian Police Service, and the Department of Immigration and during the year trained such officials using these modules. The national police academy trained an unknown number of new recruits on trafficking. The paramilitary police training school trained over 1,000 recruits on trafficking. The government maintained a database to track trafficking case data with other countries in the region.

PROTECTION

The government increased efforts to assist victims. The government identified 41 victims during the reporting period, compared to one potential victim identified during the previous reporting period. Of the victims identified, 33 were children and eight were adults; 18 were female and 23 were male. The government referred all victims it identified to protective services. Of the victims identified, one was a sex trafficking victim and the government did not report the type of exploitation for the other 40 victims. Officials continued to conflate cases of migrant smuggling and trafficking, particularly with an influx of refugees fleeing conflict in the DRC during the reporting period.

The government partnered with international organizations to offer routine assistance to victims, including medical care and counseling, but it continued to rely on international organizations and local NGOs to provide the majority of care. Shelters across the country, especially outside Lusaka and Copperbelt Provinces, were heavily constrained by a lack of funding. The Ministry of Community Development, Mother and Child Health operated a 40 person shelter for victims of trafficking and victims of sexual abuse in Luapula province, and another in Central Province, both eligible to receive male victims of trafficking. In addition, it refurbished a shelter for vulnerable migrants and victims of trafficking in an area known to have a high prevalence of trafficking and opened a gender-based violence shelter in Chongwe for women and girls; the government did not report if any trafficking victims received care through these facilities during the year. The government increased its anti-trafficking budget for the second consecutive year to 143,000 new kwacha ($14,340), an increase of $4,000 over last reporting period.

Officials and service providers used standard procedures to screen and identify trafficking victims among vulnerable populations, such as migrants and unaccompanied minors. However, the government did not adequately screen a significant number of potential Zambian victims of forced labor who returned from Namibia. Government officials, in partnership with international organizations, offered court preparation, and repatriation or regularization of immigration status. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; however, the government did not report granting such assistance in 2017. Foreign victims of trafficking were provided with the same protective services as Zambian nationals; however, availability of translators remained a barrier to providing timely, comprehensive care. As a result of the lack of shelter availability and resources, it was not uncommon for the government to house victims, including children, in jail for short periods.

PREVENTION

The government increased efforts to prevent trafficking. The government revived the national secretariat and its inter-ministerial committee, which resumed their duties in the oversight of national anti-trafficking efforts. The anti-trafficking inter-ministerial committee held its inaugural meeting on December 1, 2017. The government reviewed and updated the 2012-2015 national action plan to combat trafficking, although its finalization remained pending at the close of the reporting period. The government launched its seventh national development plan, which included guidelines on the prosecution, protection, and prevention of trafficking—the first time it has specifically included goals to combat trafficking. The government conducted a baseline survey in Nakonde and Sesheke, two border areas known to have a high prevalence of trafficking, to assess gaps in understanding of the crime. In coordination with an international organization, the Ministry of Community Development and Social Welfare updated and began implementation of the Communication Strategy on Mixed Migration and Human Trafficking, which aimed to educate the public on trafficking through community outreach and interviews on local radio stations.

The government continued its partnerships in the region through routine coordination of anti-trafficking efforts with Zimbabwe and South Africa. The government held three bilateral relationship cooperating meetings at border posts in Chirundu, Chanida, and Nakonde with Zimbabwean, Mozambican, and Tanzanian counterparts, respectively, to discuss cross-border initiatives and efforts to combat trafficking. The government hosted Malawi's anti-trafficking inter ministerial committee to facilitate a knowledge-sharing discussion as part of a SADC regional cooperation initiative. During 2016, MLSS employed 134 labor inspectors, compared to 110 labor officers employed the previous year. The government did not make efforts to reduce the demand for commercial sex or forced labor. An estimated 225 Zambian peacekeepers received anti-trafficking training on how to identify and protect potential trafficking victims.

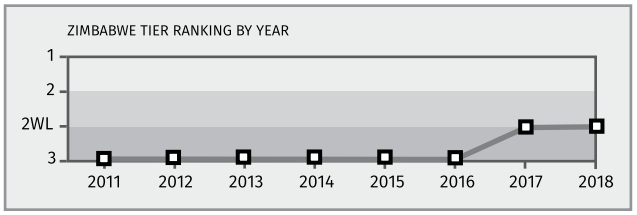
TRAFFICKING PROFILE

As reported over the past five years, Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurs within the country's borders and involves women and children from rural areas exploited in cities in domestic servitude or forced labor in agriculture, textile production, mining, construction, small businesses such as bakeries, and forced begging. Zambian children may be forced by *jerabo* gangs engaged in illegal mining to load stolen copper ore onto trucks in Copperbelt Province. While orphans and street children are most vulnerable, children of affluent village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are exploited in sex trafficking by truck drivers in towns along the Zimbabwean and Tanzanian borders and by miners in Solwezi. Zambian boys are subjected to sex trafficking in Zimbabwe and women and girls are subjected to sex trafficking in South Africa. Domestically, extended families and trusted family acquaintances facilitate trafficking. Zambians from the depressed rural areas in the Western Province are coerced into forced labor in Namibia.

Women and children from neighboring countries are exploited in forced labor and sex trafficking in Zambia. Nationals from South and East Asia are exploited in forced labor in domestic servitude, textile factories, bakeries, and Chinese-owned mines. Chinese traffickers bring in Chinese women and girls for sexual exploitation in brothels and massage parlors in Lusaka; traffickers use front companies posing as travel agencies to lure Chinese victims and coordinate with Zambian facilitators and middlemen. Chinese nationals are increasingly exploited in forced labor in Chinese-owned companies in the construction and mining sectors. South African criminal groups subjected Southeast Asians transiting Zambia to forced labor in construction in South Africa. Potential trafficking victims from Ethiopia, DRC, and Syria were identified in Zambia.

ZIMBABWE: TIER 2 WATCH LIST

The government of Zimbabwe does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by securing its first convictions since 2007 and identifying and protecting more trafficking victims compared to the previous year. The government trained border and law enforcement officials, labor inspectors, social workers, and civil society organizations on victim identification and interview techniques. The anti-trafficking inter-ministerial committee (ATIMC) met quarterly and led the implementation of the national action plan, and the government launched provincial task teams in five provinces, and conducted awareness raising activities. However, the government did not demonstrate increasing efforts compared to the previous reporting period. It did not amend the 2014 Trafficking in Persons Act, which was inconsistent with international law. The government investigated and prosecuted fewer trafficking cases compared to the previous year. The government did not provide funding to its NGO partners on which it relied to provide protective services to victims and that struggled to operate without such support, and remained without formal identification and referral procedures. Therefore Zimbabwe remained on Tier 2 Watch List for the second consecutive year.



RECOMMENDATIONS FOR ZIMBABWE

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UN TIP Protocol; vigorously investigate, prosecute, and convict traffickers, including complicit government officials; formalize procedures for identifying victims and referring them to the care of appropriate government or NGO service providers; provide financial or in-kind support to NGOs and international organizations that provide victim services; expand training for law enforcement on investigative techniques; train prosecutors and judges on trafficking and trafficking-related legislation; establish safe houses for trafficking victims in each province; implement, and allocate sufficient resources to, the national action plan to combat trafficking; and raise awareness of human trafficking and the availability of assistance for victims.

PROSECUTION

The government had mixed anti-trafficking law enforcement efforts. Inconsistent with international law, the 2014 Trafficking in Persons Act defined trafficking in persons as a movement-based crime and did not adequately define "exploitation." The 2014 act criminalized the involuntary transport of a person, and the voluntary transport for an unlawful purpose, into, outside, or within Zimbabwe. The focus on transport and the inadequate definition of "exploitation" left Zimbabwe without comprehensive prohibitions of trafficking crimes. The law prescribed penalties of 10 years to life imprisonment, which was sufficiently stringent and, with respect to sex trafficking crimes, was commensurate with penalties for other serious crimes, such as rape. Zimbabwe's Labor Relations Amendment Act criminalized forced labor and prescribed penalties of up to two years imprisonment, which were not sufficiently stringent. The Criminal Law (Codification and Reform) Act criminalized procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe and prescribed penalties of up to two years imprisonment; these penalties were not sufficiently stringent when applied to cases of sex trafficking. The act also criminalized coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years imprisonment. Pledging a female for forced marriage to compensate for the death of a relative or to settle any debt or obligation was punishable under the act, with penalties of up to two years imprisonment. These penalties, as applied to sex trafficking crimes, were not commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated two potential cases of forced labor, a decrease from 72 investigations in the previous reporting period. The government reported prosecuting 14 trafficking cases in 2017, compared with 42 prosecutions in 2016; it prosecuted five new defendants for alleged trafficking crimes, while an unknown number of defendants were involved in ongoing prosecutions. The government reported convicting three traffickers in one case, the first conviction since 2007. The case involved three Zimbabwean men who exploited four male Mozambicans in forced labor on farms in Chipinge;

the government sentenced all three traffickers to five years imprisonment. The Ministry of Foreign Affairs continued the ongoing investigation of trafficking cases involving Zimbabweans exploited in Kuwait. The Zimbabwe Republic Police's Victim Friendly Unit (VFU) had responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU was largely inactive and did not report investigating trafficking cases during the year.

In coordination with two international organizations, the government supported the training of 10 magistrates and 19 prosecutors from all 10 provinces throughout the country by peer prosecutors and magistrates from the South African Development Community (SADC) region. The training covered the international and Zimbabwean trafficking legal framework, jurisprudence in the SADC region, cross-border cooperation, and trafficking case studies. In December 2017, the Director Inspector of the Criminal Investigation Unit trained 20 police officers. Corruption in law enforcement and the judiciary may have impaired the effectiveness of anti-trafficking efforts. Victims reportedly refused to report or pursue cases of trafficking due to fear their traffickers could bribe police or judges. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government increased its efforts to identify and protect trafficking victims. The government reported identifying 87 potential trafficking victims, compared with 72 victims identified by officials in 2016. The government repatriated 14 victims, all women between the ages of 22 and 45, including 13 from Kuwait and one from South Africa. The Ministry of Labor coordinated with a local NGO to identify and refer to care 73 potential child victims of sex trafficking from high-density areas in Harare. All potential child victims received protective services including counseling, medical care, and an education needs assessment by an NGO, which had 12 shelters throughout the country. The NGO did not receive funding from the government and struggled to operate without such support. Of the potential child victims, 10 girls were taken to a vocational training center to receive skills training and 46 children were placed in children's homes. In addition, the government assisted four foreign male victims of forced labor. Furthermore, a local NGO-operated hotline received calls from 146 boys and 143 girls seeking assistance for exploitation in domestic service; many reported they were subjected to sexual, physical, and verbal abuse by their employers. One boy and 53 girls called the hotline to report their exploitation in sex trafficking. The ministry established a system whereby each potential trafficking case reported was handled jointly by an NGO and a Department of Social Welfare case worker; however, the government did not provide financial support to the NGOs. The government paid the tuition for the children of trafficking victims. In coordination with an international organization, the government coordinated a two-day training for 80 female trafficking survivors on entrepreneurship and, following the training, the government purchased equipment to assist each participant in starting livelihood projects. The government supported monitoring activities to track the women's progress.

The Immigration Department also developed standard operating procedures, which provided guidance to immigration officers responding to vulnerable groups including potential trafficking victims. In 2016, the Ministry of Public Service, Labor and Social Welfare (MPSLSW) established the technical steering committee on the protection of victims of trafficking to oversee the protection and provision of re-integration assistance and referral services to victims of trafficking. The government also developed and adopted a national referral mechanism for vulnerable migrants in Zimbabwe, which included standard operating procedures to guide front-line responders in identifying potential trafficking cases. In partnership with an international organization, the government trained border and law enforcement officials, labor inspectors, social workers, and civil society organizations on victim identification and interview techniques. While the 2014 Trafficking in Persons Act required the government to establish centers in each of Zimbabwe's 10 provinces to provide counseling, rehabilitation, and reintegration services, these centers had not been established at the end of the reporting period. The government reported no victims were detained, fined, or jailed for unlawful acts committed as a result of being trafficked.

PREVENTION

The government increased efforts to prevent trafficking. The ATIMC met quarterly and led the implementation of the national action plan. The ATIMC developed guidelines for engagement between the government and civil society actors; and reviewed various national, regional, and international instruments governing the fight against trafficking. In coordination with two international organizations, the government held a three-day capacity-building workshop for members of the ATIMC, which was opened and led by the Minister for Home Affairs. During the previous year, the ATIMC launched provincial task teams in Harare and Matabeleland South and during the reporting period it continued to implement plans to create provincial anti-trafficking task teams in all 10 provinces by launching task teams in five additional provinces, including Bulawayo, Mashonaland East, Mashonaland Central, Manicaland, and Masyingo. In coordination with an international organization, the government trained the members of the task teams to equip them in their mandate and each task team drafted a work plan in line with the National Plan of Action (NAPLAC). The government continued to participate in the SADC regional data collection tool by uploading trafficking cases, victim and trafficker profiles, and sharing information with countries in the region. Through its participation in the data tool, an international organization and SADC launched the first annual draft analysis report for the region.

In September 2017, the government organized and funded a commemoration of the World Day Against Trafficking in Persons in Bulawayo following the launch of its anti-trafficking task force. The Minister of Home Affairs' permanent secretary held a live television interview discussing the government's anti-trafficking efforts, the Zimbabwean Police drama group performed for the public, using drama to explain the various types of trafficking and the government distributed pamphlets, brochures, t-shirts, and wrist bands. The government set up anti-trafficking booths at the annual Zimbabwe International Trade Fair and the Harare Agricultural Show, which drew thousands of participants, handing out educational materials and hosted focus group discussions. The government developed a national action plan on migration, which prioritized the protection of unaccompanied migrant children who were vulnerable to trafficking. In September 2017, the government rolled out a mobile registration system for national identity, birth and death certificates and separately put in place measures that ensured visa applications by local Zimbabweans to known destination countries were tightened, but it did not provide details on how this was accomplished. The government provided assistance

acquiring lost or stolen identity documents for trafficking victims that were repatriated. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and surrounding towns. Family members recruit children and other relatives from rural areas for work in cities where they are often subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. Reports indicate that adults have recruited girls for child sex trafficking in Victoria Falls. Children are subjected to forced labor in the agricultural and mining sectors and are forced to carry out illegal activities, including drug smuggling. There were increased reports of children from Mozambique being subjected to forced labor in street vending in Zimbabwe, including in Mbare. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Zimbabwean women and men are lured into exploitative labor situations in agriculture, construction, information technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of forced prostitution. Women are exploited in domestic servitude, forced labor, and sex trafficking in Kuwait and Saudi Arabia. There were previous reports of Zimbabwean women lured to China and the Middle East for work, where they are vulnerable to trafficking. There were reports of Zimbabwean students being lured to Cyprus with false promises for education via scholarship schemes where they are exploited in forced labor and sex trafficking. Many Zimbabwean adult and child migrants enter South Africa with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby unofficial crossing locations and are subject to labor and sex trafficking. Some of the migrants are transferred to criminal gangs that subject them to abuse, including forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Some Zimbabwean men, women, and children in South Africa are subjected to months of forced labor without pay, on farms, at construction sites, in factories, mines, and other businesses. Men, women, and children, predominantly from East Africa, are transported through Zimbabwe en route to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and Democratic Republic of the Congo reportedly travel from Zimbabwe's Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese nationals are reportedly forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies in Zimbabwe reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions.

SPECIAL CASE: LIBYA

Libya is a Special Case for the third consecutive year. The Libyan Government of National Accord (GNA) struggled to gain institutional capacity and the resources to address trafficking, as the government was focused on consolidating control over its territory and countering violent extremism throughout 2017. The judicial system was not fully functioning during the reporting period, as courts in major cities throughout the country have not been operational since 2014. Violence driven by militias, civil unrest, and increased lawlessness continued to plague Libya throughout the reporting period. Extra-legal armed groups continued to fill a security vacuum across the country; such groups varied widely in their make-up and the extent to which they were under the direction of state authorities. These groups also committed human rights abuses, including unlawful killings. During the year, there were continued reports of the sale and trafficking of African migrants for labor or other exploitative purposes by criminal networks, government officials, and private employers. Accurate information on human trafficking continued to be difficult to obtain, in large part due to the withdrawal of many diplomatic missions, international organizations, and NGOs in 2014.

GOVERNMENT EFFORTS

The government appointed an anti-trafficking focal point but lacked institutional capacity to address human trafficking crimes. Libyan law criminalized some forms of sex trafficking but did not criminalize labor trafficking. Articles 418, 419, and 420 criminalized some forms of sex trafficking involving women and children; however, inconsistent with international law, the definition of trafficking did not include trafficking offenses that were not transnational in nature and, with respect to women, did not criminalize sex trafficking acts that were induced through fraudulent or coercive means. The law did not criminalize sex trafficking involving adult male victims and it did not address labor trafficking. Article 418 prescribed penalties of up to 10 years imprisonment and a fine between 100 and 500 Libyan dinars ($74-$368), which were sufficiently stringent but not commensurate with penalties prescribed for other serious crimes such as rape. Articles 425 and 426 criminalized slavery and prescribed penalties of five to 15 years imprisonment. Article 426 criminalized the buying and selling of slaves and prescribed penalties of up to 10 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes.

As the criminal judicial system was not fully functioning in 2017, the government did not report prosecuting or convicting any trafficking offenders. The Ministry of Interior (MOI), which was nominally responsible for anti-trafficking law enforcement efforts, was unable to carry out any anti-trafficking operations during the majority of the reporting period. The MOI's Department to Combat Irregular Migration (DCIM) did not have full control over its approximately 24-33 detention centers where it detained migrants throughout the reporting period. After an international media outlet publicized a video in November 2017 depicting the sale of African migrants in Libya, the GNA initiated an investigation into allegations of trafficking through the formation of an inter-ministerial investigative committee and publicly committed to holding the perpetrators accountable. Libya's Office of the Attorney

General publicly announced in March 2018 that it issued arrest warrants for 205 people for human trafficking and other crimes related to this case, noting that security forces and other government officials were allegedly complicit in the case; the case was ongoing at the end of the reporting period.

The government did not report additional investigations, prosecutions, or convictions of government officials who were allegedly complicit in trafficking crimes—including Libyan Coast Guard officials, immigration officers, security officials, as well as DCIM prison officials and detention camp guards who allowed private employers to force detained migrants to work on farms and construction sites. According to an international organization, the Special Deterrence Force, an armed group affiliated with the MOI, arrested migrants in Tripoli and detained some of them at DCIM-run facilities or released them to various migrant smuggling rings, some of which may have also subjected the migrants to forced labor or sex trafficking. Additionally, during the reporting period, the defense ministry continued to operate an anti-illegal migration unit with strong affiliation to one of the two armed groups involved in migrant smuggling and human trafficking in northern Libya; this allegiance allowed the armed group to continually shift its activities from committing smuggling and trafficking crimes to policing migrants for the government. The government also did not report any efforts to investigate or punish government-aligned militias or other armed groups that recruited and used child soldiers.

The government did not have any policy structures, institutional capacity, or resources to proactively identify and protect trafficking victims among vulnerable groups, such as foreign migrants, street children, women in prostitution, child victims of sexual abuse, and those recruited and used by armed groups. The government regularly arrested, detained, and otherwise punished victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as immigration and prostitution violations. The government continued to operate rehabilitation centers for women in prostitution and victims of sex trafficking and other forms of sexual abuse, which reportedly operated as de facto prisons. Female victims of crimes, including trafficking, faced ridicule, harassment, and humiliation by predominantly male law enforcement and judicial officials in Libya. The government also continued to arbitrarily detain migrants, potentially including trafficking victims, for indefinite periods of time in DCIM-run detention facilities, which suffered from massive overcrowding and dire sanitation problems; those detained had no access to medical care, legal aid, and other forms of protective services. Detained victims were also reportedly subjected to sexual violence and rape, ill-treatment, and unlawful killings. Moreover, authorities made no effort to protect detained foreign migrants, including those already potentially victimized in trafficking situations, in both official and unofficial detention centers from being sold into forced labor. The government did not have formal procedures to safely and humanely transfer identified trafficking victims, who were detained, arrested, or in custody, to protective care. During the reporting period, the government publicly welcomed international organizations to assist refugees and migrants, a population vulnerable to trafficking. For example, it allowed an organization to access DCIM-run detention facilities to administer basic services to migrants, and in November 2017, it finalized an agreement with an organization to open a migrant transit center in Tripoli, which would serve as a safe place for migrants and trafficking victims to register for repatriation or transit to third countries. Libyan authorities waived exit fees and facilitated exit visas for more than 300 refugees whom an international organization evacuated from the country, while it also allowed an international organization to assist in the voluntary repatriation of more than 19,000 third-country nationals, a group particularly vulnerable to trafficking. The government did not, however, provide foreign trafficking victims with legal alternatives to their removal to countries where they faced hardship or retribution. The government did not encourage victims to participate in the investigation and prosecution of traffickers.

Libya is a party to the 2000 UN TIP Protocol, but the government lacked the institutional capacity and resources to prevent human trafficking. Alleged government complicity further exacerbated the overall human trafficking problem in the country and the region. The government did not implement measures to prevent government officials or armed groups from forcing detained migrants to work; on the contrary, the government's system of detaining migrants facilitated trafficking crimes. During the reporting period, the GNA coordinated with the Italian government to reduce the flow of irregular migrants crossing the Mediterranean. However, some European and international NGOs criticized this coordinated effort of turning migrant boats back to Libya and stopping other migrants from attempting the crossing to Italy, citing poor security and human rights conditions and an increased risk of trafficking for migrants forced to remain in Libya. The GNA and Italian government also maintained agreements on judicial cooperation and extraditions. During the reporting period, the GNA made several public statements condemning the exploitation and inhumane treatment of migrants and affirmed its commitment to investigate allegations of trafficking and to hold traffickers criminally accountable. During the reporting period, the government participated in regional meetings, seminars, and workshops related to human trafficking under the framework of the League of Arab Nations and the UN. The GNA foreign ministry co-chaired two migration working groups with an international organization, which aimed to coordinate strategies and policies on migration. The government did not have a national coordinating body responsible for combating human trafficking, but it named a point of contact for trafficking-related inquiries. The government did not conduct any public anti-trafficking awareness campaigns, nor did it take actions to reduce the demand for commercial sex acts, child sex tourism, or forced labor. The government took no steps to prevent the recruitment and use of children by militia groups, groups affiliated to or aligned with the government, and other armed groups operating throughout the country. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Libya is a destination and transit country for men and women from Sub-Saharan Africa and Asia subjected to forced labor and sex trafficking, and it is a source country for Libyan children subjected to recruitment and use by armed groups within the country. Since 2013, numerous reports indicate militias, some of which are used as combat forces or security enforcement by the government, recruit and use Libyan children younger than 18 years old. Children associated with armed groups are also reportedly exposed to sexual violence. Instability and lack of government oversight in Libya continued to allow for human trafficking crimes to persist and become highly profitable for traffickers. Trafficking victims—including men, women, and children—are highly vulnerable to extreme violence and other human rights violations in Libya by government officials and non-state armed groups, including physical, sexual, and verbal assault; abduction

for ransom; arbitrary killings; and inhumane detention.

Migrants in Libya are extremely vulnerable to trafficking, including those seeking employment in Libya or transiting Libya en route to Europe. The country continued to serve as the primary departure point for migrants, including unaccompanied minors, crossing the Mediterranean from North Africa. As of December 2017, 147,600 migrants departed from Libya to cross the central Mediterranean, while more than 3,000 died en route due to heavily overcrowded or capsized boats. A fear of GNA Libyan Coast Guard units, who allegedly return migrants rescued at sea to detention centers in Libya where they are subjected to forced labor, caused some migrants to refuse the help of these units at sea. Highly organized trafficking and migrants smuggling networks that reach into Libya from Niger, Nigeria, Chad, Eritrea, Ethiopia, Somalia, Sudan, and other sub-Saharan states subject migrants to forced labor and forced prostitution through fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages, debt bondage, and verbal, physical, and sexual abuse. In some cases, migrants reportedly pay smuggling fees to reach Tripoli, but once they cross the Libyan border they are sometimes abandoned in southern cities or the desert where they are susceptible to severe forms of abuse and human trafficking. For example, in January 2018, 94 migrants escaped detention by their smugglers in the border area of Tazerbou Municipality while transiting northward to disembarkation points; these migrants were highly vulnerable to exploitation. Armed groups, criminal gangs and networks, smugglers, and traffickers have cooperated and competed in the smuggling and trafficking of migrants to and through Libya, while carrying out serious human rights abuses and violations against migrants. Elements of the GNA Libyan Coast Guard have reportedly worked with armed groups and other criminals, including traffickers, to exploit migrants for profit. There are financial incentives for smugglers and traffickers to prevent the disembarkation of migrants transiting the Mediterranean and to re-transit migrants back to Libya for detention and further exploitation. Several credible sources continue to report that migrants—some of whom are trafficking victims—held in detention centers controlled by both the DCIM and non-state armed groups and militias were subjected to severe abuse, rampant sexual violence, denial of medical care, and forced labor. Private employers and prison officials use detained migrants from official and unofficial detention centers for forced labor as domestic workers, garbage collectors, and construction, road paving, and agricultural workers. Once the work is completed, employers return the migrants to detention. In November 2017, an international media outlet released a video depicting unidentified individuals selling African migrants reportedly for labor in an undisclosed location in Libya. Migrant returnees from Libya have also reported being sold by individuals and employers for labor or other exploitative purposes. Additionally, an international organization reported in 2017 that many militias in Libya fill their ranks with migrants from Niger, Nigeria, and Chad to perform labor or serve in other non-combat roles.

Female migrants, in particular, are highly vulnerable to sexual assault by various armed groups and smugglers along the migration routes to Libya. Prostitution rings reportedly subject sub-Saharan women and some girls to sex trafficking in brothels, particularly in southern Libya. Nigerian women and girls, in particular, seem to be at increased risk of being forced into prostitution. According to a European NGO, Nigerian gangs recruit Nigerian girls from rural regions of the country and facilitate the transportation of the girls through Libya for sex trafficking in Italy and other European countries. For example, in 2016 a trafficking network that spanned from Nigeria to Italy via Libya involved a group of Nigerian and Libyan traffickers that forced Nigerian women into prostitution in both Libya and Italy; the network held the victims in warehouses in Sebha and Tripoli until it transported them to Sicily for further sexual exploitation. In 2015 and 2016, ISIS in Libya abducted and took into captivity at least 540 migrants and refugees, including at least 63 women whom ISIS forced into sexual slavery for its fighters. However, since the defeat of ISIS across most of eastern Libya, there were limited reports of such incidents in 2017.

SPECIAL CASE: ST. MAARTEN‡

St. Maarten is a Special Case. In September 2017, the island experienced massive devastation by Hurricane Irma, the worst Atlantic hurricane ever recorded. The hurricane greatly impeded the government's ability to report on efforts made prior to September and the prospects for additional progress in the remainder of the reporting period. The hurricane destroyed government buildings, hospitalized public officials, and diminished critical resources to the justice system.

GOVERNMENT EFFORTS

St. Maarten recognized that human trafficking, including the exploitation of women in prostitution and migrants, was a problem in the country. The penal code criminalized sex and labor trafficking, prescribing penalties ranging from 12 to 24 years imprisonment or a fine. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties for other serious crimes, such as rape. In 2017, accurate information on the country's efforts were difficult to obtain, in large part due to the absence of an operational anti-trafficking coordinator. During the reporting period, authorities conducted one investigation of trafficking, compared to three investigations involving five suspects in 2016, and one investigation involving six suspects in 2015. In 2016, the government brought charges of trafficking against six individuals from two investigations dating back to 2015; criminal proceedings were ongoing at the end of the reporting period. In 2017, the government prosecuted one trafficker, but it was unclear whether it had secured any convictions. Authorities had reported that lack of dedicated funding for anti-trafficking efforts hindered the country's ability to address trafficking.

Information about the country's identification and assistance efforts was not available for 2017. In 2016, the government identified 96 foreign victims, provided shelter and care for five victims, and funded the repatriation of 44 victims. While the government did not have standard operating procedures for the identification or referral of victims, informal agreements between government agencies were in place. Authorities confirmed government officials continued to use an NGO-developed checklist of trafficking indicators to screen illegal migrants for indicators of trafficking before returning them back to their country of origin. The National Reporting Bureau on Human Trafficking (NRB) continued to be responsible for coordinating the government's efforts to combat trafficking and emergency response to cases. Before the storm, the NRB

‡ *St.Maarten is an autonomous entity within the Kingdom of the Netherlands. For the purpose of this report, St. Maarten is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how St. Maarten would be assessed if it were a separate, independent country.*

periodically conducted outreach with immigrant communities, businesses, health officials, and the tourism sector on how to identify potential victims and report trafficking crimes, and it conducted quarterly inspections of all brothels and dance clubs. The NRB could fund victim assistance on a case-by-case basis, but services available were limited. The government could provide one NGO with subsidies on an ad hoc basis to provide shelter services for victims of trafficking in a facility dedicated to victims of domestic violence. The government-subsidized NGO was not equipped to deal with large trafficking cases, and psychological assistance to trafficking victims was inadequate. The government offered a temporary residence program for victims who wish to assist in the investigation and prosecution of traffickers; however, it was unclear if the government provided such benefits during the reporting period.

In contrast to past years and for causes attributable to the storm, the NRB did not conduct prevention or outreach campaigns. The government continued to operate a national hotline, accessible by phone and email; however, no tips were reported during the reporting period. Government policy required foreign women to apply for adult entertainment work permits on their own and submit a labor agreement with their visa application. Government policy also prevented brothel and club owners from providing adult entertainers monetary loans and from confiscating their personal documentation.

TRAFFICKING PROFILE

As reported over the past five years, St. Maarten is a transit, and destination country for women, children, and men subjected to sex trafficking and forced labor. Women and girls from Latin America, the Caribbean, Eastern Europe, and Russia are the most vulnerable to sex trafficking, including women working in regulated and unregulated brothels and dance clubs. Some foreign women in St. Maarten's commercial sex industry are subjected to debt bondage. A significant number of migrant workers from Asia and the Caribbean are vulnerable to forced domestic service or forced labor in construction, Chinese-owned markets, retail shops, landscaping, and housekeeping. Cuban and Brazilian migrants transiting St. Maarten en route to the United States and Canada may also be vulnerable to trafficking. Colombian and Venezuelan women may travel to the islands under false pretenses and are subjected to trafficking. Due to the deteriorating situation in Venezuela an increased number of Venezuelan migrants transited through St. Maarten before seeking asylum in St. Martin. Some Venezuelan migrants sought employment illegally in St. Maarten, while waiting for their cases to be processed in St. Martin. Migrants transiting through and working illegally in St. Maarten may be vulnerable to trafficking.

SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the sixteenth consecutive year. During the reporting period, the Federal Government of Somalia (FGS) controlled its capital city, Mogadishu, and regional governments retained control over most local capitals across the country. The self-declared independent region of Somaliland and the federal member state of Puntland retained control of security and law enforcement in their respective regions. The FGS had limited influence outside Mogadishu; the al-Shabaab terrorist group continued to occupy and control rural areas in the Juba River Valley in south-central Somalia, which it used as a base to conduct attacks across the country, and was itself involved in human trafficking. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by al-Shabaab. The sustained insurgency by al-Shabaab continued to be the main obstacle to the government's ability to address human trafficking in practice. The government had minimal capacity to address most crimes, including human trafficking, and thereby demonstrated minimal efforts in all regions on prosecution, protection, and prevention of trafficking. Some federal and regional armed forces were not paid regularly, limiting the government's effective control of its territory and its ability to undertake anti-trafficking efforts. Police across Somalia lacked proper investigatory capacity to deal with trafficking cases. Although reportedly improved from previous years, some Somali officials continued to lack an understanding of trafficking crimes, which they often conflated with migrant smuggling. Previous reports allege certain regional government officials were beneficiaries of trafficking rings in Somalia.

GOVERNMENT EFFORTS

Somaliland and Puntland authorities sustained limited efforts to combat trafficking during the reporting period. Due to the protracted campaign to degrade al-Shabaab and establish law and order in Somalia, law enforcement and judicial officials remained understaffed, undertrained, and lacked capacity to effectively enforce the law. The pre-1991 penal code (applicable at the federal and regional levels) criminalized labor trafficking and some forms of sex trafficking. Article 455 criminalized slavery, prescribing penalties of five to 20 years imprisonment. Article 464 criminalized forced labor, prescribing penalties of six months to five years imprisonment. Article 457 criminalized the transferring, disposing, taking possession or holding of a person, and prescribed penalties of three to 12 years imprisonment. All of these penalties were sufficiently stringent. Article 408(1) criminalized compelled prostitution of a person through violence or threats, prescribing penalties of two to six years imprisonment, which was sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The provisional constitution prohibited slavery, servitude, trafficking, and forced labor under Article 14. Article 29(6) under the provisional constitution prohibited the use of children in armed conflict. In September 2017, Somaliland endorsed a draft human trafficking law, designed in consultation with an international organization; although relevant line ministries endorsed the draft law, the Somaliland Parliament had not passed it by the close of the reporting period. In November 2017, Puntland ratified a human trafficking legislative framework after three years of consultations with an international organization. The legal framework was composed of new penal and criminal procedure codes and a law that specifically prohibited trafficking. Authorities in Puntland and Somaliland did not report on law enforcement efforts. In 2017, the Somali Police Force (SPF) under the FGS reportedly investigated one potential trafficking case involving South Sudanese traffickers, but it did not report any prosecutions or convictions; in 2016, SPF police also investigated one potential trafficking case that failed to progress through the judiciary. During the previous reporting period, authorities in Puntland prosecuted 23 child sex trafficking cases, three of which resulted in convictions and five-year prison sentences plus a fine of 1.6 million Somali shillings ($2,780). However, analogous to previous years, no comprehensive statistics existed at either the federal or regional levels on investigations, prosecutions, or convictions of or related to trafficking. Information regarding officials alleged to be complicit in the facilitation of sex and labor trafficking remained largely unknown, and the government did not report efforts to investigate, prosecute, or convict any official for involvement in trafficking or criminal activities

related to trafficking during the reporting period. It failed to take action against military officials for the unlawful recruitment and use of children during the year.

The inter-ministerial Trafficking and Smuggling Task Force served as the federal government's anti-trafficking coordinating body, which included representation from the SPF, Ministry of Internal Security, Ministry of Foreign Affairs, Ministry of Justice, and Ministry of Interior and Federal Affairs, and led by the permanent secretary of the Ministry of Interior and Federal Affairs. During the previous reporting period, the task force commenced development of a national action plan on trafficking efforts, but did not report progress on this plan within the current reporting period. The criminal investigations division of the SPF had a 40-officer Counter-Trafficking and Organized Crime Unit, but according to an international organization, this unit has never received counter-trafficking training. The SPF counter-trafficking unit and coast guard officers participated in various trainings on the recognition of trafficking cases separately led by two international organizations during the reporting period. Justice officials from the FGS also participated in a workshop on prosecution and adjudication of trafficking cases also conducted by an international organization. The Puntland state police, in collaboration with an international organization, conducted two follow-up trainings on trafficking investigations for 42 officers during the reporting period. In Puntland, the state-level Counter-Trafficking Board, established in March 2013, was the lead and, during the reporting period, it established a referral mechanism to coordinate trafficking and irregular migration issues and facilitated a provision of direct assistance to trafficking victims, in addition to generating awareness of these issues. The Somaliland government established the Counter Human Trafficking Agency of Somaliland in 2016, which included representatives from immigration, police, coast guard, the attorney general's office, and the ministries of commerce, finance, and civil aviation. The agency was mandated to coordinate counter-trafficking efforts including developing legislation and collecting data, but its work remained limited in reach.

No governmental entity had systematic procedures to identify or refer trafficking victims to protective services, and all relied fully on international organizations and NGOs to provide victim assistance, including food, clothing, shelter, legal support, medical aid, counseling, and reintegration services. Statistics for trafficking victims in Somalia were unavailable; however, an international organization reported it received referrals of 21 trafficking victims during the reporting period. In the previous year, Puntland authorities partnered with civil society to provide protective care for 23 trafficking and smuggling victims; it also helped facilitate the return home of 29 child victims. Near the end of the current reporting period, Puntland authorities developed and operationalized a regional referral mechanism for trafficking victims, with support from an international organization. Victim care was inadequate and varied significantly across the country. Beyond the scope of an international organization's migrant response centers, victims had limited access to protective provisions. Specialized care, especially mental health, was unavailable to most victims due to a lack of practitioners. The FGS did not provide financial or in-kind support to organizations assisting victims. In Puntland and Somaliland, authorities provided building sites for migrant response centers in Bosasso and Hargeisa, and in some cases transportation costs to the victims to enable their return home. During the reporting period, the FGS facilitated the repatriation of 24 Somali migrants who wished to return home from Libya, with auxiliary support from the EU. In addition, the FGS, with backing from an international organization, provided medical attention to repatriated citizens, and other federal authorities provided psycho-social support. There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution.

Authorities across Somalia demonstrated limited efforts to prevent trafficking during the year. In Puntland state, members of the anti-trafficking board participated in a three-month radio, television, and community social mobilization awareness campaign conducted by an international organization to sensitize the public on human trafficking, including how to detect and report suspected cases of trafficking; members of the Puntland counter-trafficking board participated in some of the talks and presentations during this campaign, but the Puntland state government did not fund the program. Following the initial repatriation flight of 11 Somali migrants from Libya, the FGS used social and traditional media to cover the repatriations and highlight the risks of trafficking and abuses faced by victims. No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training for its diplomatic personnel. Somalia is not a party to the 2000 UN TIP Protocol.

During the year, there were continued reports of the Somali National Army (SNA) and allied militias, Ahlu Sunna Wal Jama'a (ASWJ) militia, clan militia, and al-Shabaab unlawfully using child soldiers, with the latter committing the large majority of violations. UN officials documented the recruitment and use of more than 2,100 children in 2017. The reported number of children used or recruited by al-Shabaab increased significantly during the reporting period as compared to the previous period, while the reported number of those used and recruited by the SNA, ASWJ, and clan militias decreased. An unspecified number of children were also reportedly used as informants by the National Intelligence and Security Agency. Children identified in SNA units were primarily used for carrying equipment and running errands; however, there were unconfirmed reports of SNA units using children as front-line fighters in Hirshabelle, as well as child soldiers who defected from al-Shabaab and immediately involved in direct hostilities by government-affiliated forces. No children were reported abducted, recruited, or used by peacekeeping forces of the African Union Mission in Somalia (AMISOM) during the year.

The dire security situation and restrictions on movement precluded detailed child soldier reporting during the year. In 2017, al-Shabaab continued to involve children in conflict through recruitment and participation in direct hostilities, such as planting explosives and carrying out attacks, in addition to support roles such as carrying ammunition, water, and food; removing injured and deceased militants; gathering intelligence; and serving as guards. The terrorist organization also enslaved an indeterminate number of young girls and exploited them in sexual servitude. Al-Shabaab continued to raid schools, *madrassas*, and mosques for recruitment purposes, and in rural areas of Galmudug state and elsewhere, the terrorists forced students as young as 7 years old to enroll in al-Shabaab-managed *madrassas*, which included military training and indoctrination in their curricula.

The government continued to implement the 2014 action plan to end the recruitment and use of children by the SNA, although efforts to do so remained incomplete. However,

during the reporting period, the SNA's Child Protection Unit (CPU) reported it conducted trainings for SNA officers and enlisted soldiers and expanded awareness outside of Mogadishu and visited SNA and SNA-affiliated units across five sites in Southwest, Hirshabelle, and Galmudug states, as well as two sites in Mogadishu and Banaadir regions. During these visits, the CPU screened approximately 1,500 soldiers and briefed them on the importance of preventing child recruitment into the security forces; of these, it identified 16 children and referred them to the FGS and UN authorities for care. Nonetheless, the UN continued to report concerns about the arrest and detention of some children allegedly associated with al-Shabaab by government forces, particularly in Puntland. Beyond the screening and training trips, the FGS launched a public awareness campaign, with UN support, to promote broad awareness of child protection issues and means of removing children from armed conflict. It also produced advertisements for television and radio stations in south-central Somalia to discourage child recruitment, and it commissioned local artists for a series of counter-recruitment billboards and banners placed around Mogadishu, Puntland, Southwest, Hirshabelle, Galmudug, and Jubaland. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult.

TRAFFICKING PROFILE

As reported over the past five years, Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Trafficking routes within the country are particularly opaque, but anecdotally, victims are more likely to be subjected to trafficking from south-central Somalia to the regions of Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries who transport victims to Puntland, Djibouti, and Ethiopia for the purposes of domestic servitude or sex trafficking. A majority of victims originate in south-central Somalia, with the main destinations being Europe (primarily Italy), Yemen, Gulf States (primarily Saudi Arabia), South Africa, and Kenya. Three cross-border trafficking routes are most commonly used by traffickers: (1) south-central Somalia to Yemen via Puntland; (2) Somalia to Europe via Kenya or Ethiopia and onward to Libya or Egypt; and (3) Somalia to South Africa via Kenya and Tanzania. A fourth route, to Europe via Turkey, is also employed by some traffickers, albeit in smaller numbers due to higher costs. Notwithstanding the unavailability of reliable figures, the FGS notes that, anecdotally, fewer Somalis arrive in their intended destination countries but rather become stranded in transit countries. Al-Shabaab continued to facilitate human trafficking crimes, using deception to recruit victims in south-central Somalia and Kenya and subsequently forcing them into sexual slavery, support roles, and marriages to al-Shabaab militants.

During the reporting period, an increasing number of middle-class Somalis and unaccompanied children were subjected to trafficking, though IDP and unemployed youth aged 18-35 remain the most vulnerable. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. While many children work within their own households or family businesses, some children may be forced into labor in agriculture, domestic work, herding livestock, selling or portering *khat*, crushing stones, or in the construction industry. Driven by pressure to seek employment opportunities, youth and women working in the informal sector remain at high risk of trafficking. In addition, certain marginalized ethnic minorities continue to face greater risk of sex and labor trafficking, as do people living in areas under al-Shabaab control. Although there remains a dearth of reliable statistics, Somaliland and Puntland continued to receive an influx of economic migrants and refugees from war-torn Yemen and the Oromia region of Ethiopia during the reporting period. Exploitation of and gender-based violence in refugee and IDP camps in Somalia, sometimes perpetrated by gatekeepers in control of the camps, remains a concern, particularly in exchange for food and services for what are otherwise free services; this establishes a cycle of debt and renders these individuals vulnerable to trafficking.

According to an international organization, traffickers employ deception as the predominant recruitment method, though al-Shabaab often uses coercion and force. Most trafficking networks are run by a combination of Somali, Djiboutian, Eritrean, and North African traffickers. Somali police reportedly investigated one network run by South Sudanese traffickers during the reporting period. An increasing number of traffickers target and recruit children, without their parents' awareness or support by false promises that no payment will be demanded until they reach their targeted destinations. Traffickers and smugglers reportedly take advantage of the vulnerability of IDP women and children, mostly from southern and central Somalia, at times using false promises of lucrative jobs in Europe and North America. Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, where they frequently endure domestic servitude or forced prostitution. Somali men experience conditions of forced labor as herdsmen and workers in the Gulf States. Traffickers transport children to Saudi Arabia and Djibouti and force them to beg on the streets. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf States or Europe for employment. Authorities in Somaliland previously reported an increase in the transporting or kidnapping of children and unemployed university graduates, who later transit Ethiopia and Sudan and are sometimes held hostage by networks in Libya en route to Europe and the Middle East. Trucks transporting goods from Kenya to Somalia sometimes return to Kenya with young girls and women; traffickers procure these young girls and women and exploit them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya. Undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking as they seek employment in Puntland and Somaliland to fund subsequent travel to the Middle East. Ethiopian children travel to Somaliland seeking employment but may instead be forced to beg on the streets.

SPECIAL CASE: YEMEN

Yemen remains a Special Case for the third consecutive year. The civil conflict and humanitarian crisis in Yemen deepened during the reporting period. Information on human trafficking in the country has been increasingly difficult to obtain since March 2015 when the Republic of Yemen Government (ROYG) had to leave and stopped controlling portions of the country. NGOs reported vulnerable populations in Yemen were at an increased risk of being subjected to trafficking due to large-scale violence driven by protracted armed conflict, civil unrest, and lawlessness. Migrant workers from the Horn of Africa who remained or arrived in Yemen during the reporting period may

have endured intensified violence, and women and children may have become more susceptible to trafficking. The international organizations and NGOs remaining in Yemen focused primarily on providing humanitarian assistance to the local population and lacked adequate resources to collect reliable data on trafficking; transit routes and entry points for humanitarian actors were increasingly dynamic and precarious, thereby impeding humanitarian support. A vast majority of Yemenis required broad assistance and basic social services, which have collapsed. For the purposes of this report, Yemen retained Special Case status since the government continued to lack control over part of its territory.

GOVERNMENT EFFORTS

Due to the tenuous political situation, the government faced serious challenges to combat trafficking, including substantial internal security threats, weak institutions, systemic corruption, a weakening economy, limited territorial control, and poor law enforcement capabilities. The government made no discernible anti-trafficking law enforcement efforts. Government efforts to investigate and prosecute trafficking offenders were hampered by the absence of a law criminalizing all forms of trafficking and the government's conflation of trafficking and smuggling. Article 248 of the penal code criminalized slavery and prescribed penalties of up to 10 years imprisonment; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other grave crimes, such as rape. However, Article 248 narrowly focused on transactions and movement and therefore did not criminalize many forms of labor and sex trafficking, as defined under international law. Article 279 criminalized child sex trafficking under its "child prostitution" provision and prescribed penalties of up to seven years imprisonment, which could be increased to up to 15 years imprisonment under aggravating circumstances; these penalties were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. While the government's inter-ministerial National Technical Committee to Combat Human Trafficking drafted anti-trafficking legislation, with assistance from an international organization, prior to its departure, Houthi rebels illegally disbanded parliament in February 2015, and the legislation has not been enacted.

The government did not have oversight of the courts and therefore did not report efforts to prosecute, convict, or punish trafficking offenses during the year. In addition, the government was unable to pursue any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite reports of officials engaged in trafficking in both urban and rural areas, including the domestic servitude of children and women, forced prostitution of women, recruitment and use of child soldiers, and forced labor of migrant workers. Local government and security officials allegedly willfully ignored trafficking crimes in their respective areas of responsibility. Prior to the conflict, the government did not effectively enforce anti-trafficking provisions due to a lack of resources and the financial interests of the elite, many of whom benefited from forced labor.

The government did not have the access to identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and foreign migrants. As a result, the government was unable to ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution or immigration violations. An international organization supported 12 victims of trafficking it identified in Yemen, including both adults and children. Although the Ministry of Interior (MOI) Women and Children Unit had formal standard operating procedures for proactive identification of trafficking victims, efforts to implement or train law enforcement on these procedures were suspended due to the prolonged unrest. Furthermore, the government did not encourage victims to assist in investigations or prosecutions of their traffickers or to provide assistance to its nationals repatriated after enduring trafficking abroad. In May 2014, the government acknowledged the use of child soldiers and signed a UN action plan to end the practice; however, it made limited effort to release child soldiers from the military or provide them with protective or rehabilitation services during the reporting year. Furthermore, an international organization continued to express concerns about the detention by the Yemeni Armed Forces (YAF) of children for alleged association with Houthi rebel forces. The government took some action in criticizing or condemning the active and aggressive rebel recruitment of child soldiers, including public press statements, and expressed its commitment to properly address this crime.

Due to its broad lack of access and capacity limitations, the government was unable to make efforts to prevent trafficking during the reporting period. A draft national strategy to combat trafficking initiated by the Ministry of Human Rights in a previous reporting period, in coordination with an international organization, remained pending. The draft included plans for raising awareness, increasing cooperation between Yemen and neighboring countries, training officials in victim identification, and instituting procedures to protect victims. During a previous reporting period, the government enacted a regulation requiring MOI approval for Yemenis to marry foreigners, particularly Saudis and Emiratis who "temporarily" married young Yemeni women; however, officials continued to provide approval for such marriages in exchange for bribes. Further, the government did not provide anti-trafficking training to its diplomatic personnel and could not make efforts to reduce the demand for commercial sex acts, forced labor, or address the problem of sex tourism more broadly. Yemen is not a party to the 2000 UN TIP Protocol.

Since the escalation of armed conflict in March 2015, human rights organizations reported all parties to the conflict continued their unlawful recruitment and use of child soldiers. As a result of its limited capacity and the ongoing conflict, the Yemeni government has not implemented a 2014 UN action plan to end the recruitment and use of child soldiers, although the government did express interest in revitalizing the discussion on implementation. Despite a 1991 law requiring members of the armed forces to be at least 18 years of age and a May 2014 UN action plan to prevent unlawful recruitment of children into its armed forces, credible reports indicated the protraction of unlawful recruitment of children throughout the country, due to expansion of military activity by government forces and Houthi rebel forces, tribal and coalition militias, and al-Qaeda in the Arabian Peninsula (AQAP). During the year, these armed groups sustained, and in some cases intensified their recruitment, training, and mobilization of children as participants in the conflict. An international organization reported armed groups used children as uniformed soldiers in combat and at checkpoints during the reporting period. Armed boys, reportedly as young as 12 years old, are believed to have worked for Houthi militias and government forces. During the reporting period, verified cases of the unlawful recruitment and use of child soldiers occurred without familial knowledge or consent, and monetary and material support

were utilized as incentives for joining the army, in addition to forced enrollment via abductions. According to an international organization, between January and September 2017, armed groups unlawfully recruited and used at least 370 children between the ages of 12-17, compared to168 the previous reporting period. The majority of incidents were attributed to the Houthis, followed by the YAF, Popular Committees, and AQAP. In 2017, Yemeni officials did not report demobilizing any child soldiers. In 2016, the Saudi-led coalition demobilized and referred to Yemeni officials 52 child soldiers alleged to have been recruited by the Houthis; the children were later detained in a YAF-controlled camp. Yemen's security, political, and economic crises, cultural acceptance of child soldiering, weak law enforcement mechanisms, and limited political will continued to severely encumber the country's capacity to end the recruitment and use of child soldiers.

TRAFFICKING PROFILE

As reported over the past five years, Yemen is a country of origin and, to a lesser extent, transit and destination, for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. The ongoing conflict, lack of rule of law, and the deteriorating economy have likely disrupted some trafficking patterns and exacerbated others. Past reports suggested some Yemeni children—mostly boys—were subjected to forced labor in domestic service, begging, or in small shops after migrating to Aden or Sana'a or to Saudi Arabia and, to a lesser extent, Oman. Traffickers, security officials, and employers also forced some of these children into sex trafficking in Saudi Arabia, while others were forced to smuggle drugs into Saudi Arabia. Prior to the conflict, Yemen was a transit point and destination for women and children, primarily from the Horn of Africa, who were subjected to sex trafficking and forced labor. Ethiopians, Eritreans, and Somalis traveled voluntarily to Yemen with the hope of employment in Gulf countries, but some women and children among this population may have been exploited in sex trafficking or domestic servitude in Yemen, and some were forced to work on *khat* farms. Others migrated based on fraudulent offers of employment as domestic workers in Yemen, where they were subsequently subjected to sex trafficking or forced labor. Some female refugees were previously forced into prostitution in Aden and Lahj governorates. Prior to the conflict's escalation and the government's departure in March 2015, Yemeni migrant workers were allegedly deported from Saudi Arabia and returned to Yemen through the al-Tuwal and al-Buq border crossings. Most deportees were reportedly returned to the impoverished Tihamah region located on the west coast of Yemen, many of whom remained displaced and highly vulnerable to exploitation, including trafficking. The UN estimated that the protracted Syrian conflict resulted in an influx of as many as 100,000 Syrian refugees to Yemen; Syrian refugee women and children begging in the streets were highly vulnerable to forced labor and sex trafficking in the country.

Prior to the Yemeni government's departure from Sana'a, it and international NGOs estimated there were approximately 1.7 million child laborers under the age of 14 in Yemen, some of whom were subjected to forced labor. Yemeni and Saudi gangs transported African children to Saudi Arabia for the purpose of exploitation. Traffickers abused and abandoned in Yemen some refugees and migrants from the Horn of Africa who voluntarily transited Yemen en route to Saudi Arabia and other Gulf countries. Reports suggest at least 150 migrants attempt to cross to Yemen via Djibouti daily, and as many as 14,000 Ethiopians may have required assistance in Yemen by the end of 2016, a situation which underscores the need for broad proactive screening of potential victims of trafficking and child soldiering among migrants who have been evacuated from Yemen. In past years, multiple NGOs reported criminal smuggling groups had built a large number of "camps" near the Yemeni-Saudi border city of Haradh, where migrants hoping to reach Saudi Arabia were held for extortion and ransom.

Yemeni children have been subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old have reportedly been exploited in commercial sex in hotels and clubs in the Governorates of Sana'a, Aden, and Taiz. Prior to the conflict, most child sex tourists in Yemen were from Saudi Arabia, with a smaller percentage originating from other Gulf nations, including the United Arab Emirates. Some Saudi men used legally contracted "temporary marriages"—authorized by some Islamic authorities as *misyar* marriages—for the purpose of sexually exploiting Yemeni girls, some reportedly as young as 10 years old, and some of whom were later abandoned on the streets of Saudi Arabia. Civil society organizations assessed that, as a result of the dire economic situation in Yemen, particularly in the north, sex trafficking of Yemeni children had increased over the past several years. Additional sources alleged the practice of chattel slavery, in which human beings are traded as property, continued in Yemen in 2016, citing a "prevalence rate" of 1.13 percent. While no official statistics exist detailing this practice, a 2014 study by a human rights organization documented 190 cases of slavery in three directorates of Hajjah governorate. Sources reported there could be several hundred other men, women, and children sold or inherited as slaves in al-Hodeida and al-Mahwit governorates.

RELEVANT INTERNATIONAL CONVENTIONS

The chart below shows the Ratification, Accession (a), or Acceptance (A) of relevant international conventions for those countries that have ratified, acceded to, or accepted any such conventions between April 2017 and March 2018. A complete list that includes all of the countries covered by the *2018 Trafficking in Persons Report* is available at: https://www.state.gov/j/tip/conventions/index.htm

Country	UN Protocol to Prevent, Suppress and Punish Trafficking in Persons	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	Optional Protocol to the Convention on the Rights of the Child in Armed Conflict	ILO Convention 29 Forced Labour (1930), entered into force in 1932	ILO Protocol of 2014 to the Forced Labour Convention, entered in to force November 9, 2016	ILO Convention 105, Abolition of Forced Labour (1957)	ILO Convention 182, Elimination of Worst Forms of Child Labor	ILO Convention 189, Domestic Workers (2011), entered into force September 5, 2013
Brazil	2004	2004	2004	1957	—	1965	2000	2018 (into force Jan 2019)
Central African Republic	2006	2012	2017	1960	—	1964	2000	—
Denmark	2003	2003	2002	1932	2017 (into force 14 Jun 2018)	1958	2000	—
Fiji	2017	2005	2005	1974	—	1974	2002	—
Guinea	2004	2011	2016	1959	—	1961	2003	2017 (into force 25 Apr 2018)
Iceland	2010	2001	2001	1958	2017 (into force 14 Jun 2018)	1960	2000	—
India	2011	2005	2005	1954	—	2000	2017 (into force 13 Jun 2018)	—
Jamaica	2003	2011	2002	1962	2017 (into force 13 Jun 2018)	1962	2003	2016
Japan	2017	2005	2004	1932	—	—	2001	—
Latvia	2004	2006	2005	2006	2017 (into force 07 Dec 2018)	1992	2006	—
Namibia	2002	2002	2002	2000	2017 (into force 06 Nov 2018)	2000	2000	—
Netherlands	2005	2005	2009	1933	2017 (into force 08 Aug 2018)	1959	2002	—
Poland	2003	2005	2005	1958	2017 (into force 10 Mar 2018)	1958	2002	—
Spain	2002	2001	2002	1932	2017 (into force 20 Sep 2018)	1967	2001	—
Sweden	2004	2007	2003	1931	2017 (into force 14 Jun 2018)	1958	2001	—
Switzerland	2006	2006	2002	1940	2017 (into force 28 Sep 2018)	1958	2000	2014

STOPPING HUMAN TRAFFICKING, SEXUAL EXPLOITATION, AND ABUSE BY INTERNATIONAL PEACEKEEPERS AND CIVILIAN PERSONNEL

As required by law, this section summarizes actions taken by the United Nations (UN), the North Atlantic Treaty Organization (NATO), and the Organization for Security and Co-operation in Europe (OSCE) to prevent trafficking in persons or the exploitation of victims of trafficking.

	UNITED NATIONS	OSCE	NATO
TOTAL NUMBER OF PEACEKEEPING AND SUPPORT PERSONNEL	92,682	3,088	24,242
TOTAL NUMBER OF MISSIONS	15	15	3
PREVENTION POLICY	"Special Measures for Protection from Sexual Exploitation and Sexual Abuse" (SEA) (2003)	"Code of Conduct for Staff and Mission Members"	"NATO Policy on Combating Trafficking in Human Beings" (2004 and 2007)
LEAD OFFICE RESPONSIBLE FOR IMPLEMENTATION	Office of Field Support	Office of Human Resources	Women, Peace, and Security Office
PREVENTION TRAINING	Pre-deployment and at mission, including a new E-learning program	Pre-deployment	Pre-deployment and at mission "NATO Guidance for the development of training and educational programmes to support the policy on combating the trafficking in human beings" (2004)
NUMBER OF ALLEGATIONS IN 2017	62 allegations were made against 136 military, police, and civilian personnel of 11 UN peacekeeping and special political missions. The majority of the allegations were in the Democratic Republic of Congo, Central African Republic, Liberia and Haiti. The allegations affected 131 victims of which 21 were children under 18 years of age.	No reported allegations	No reported allegations – NATO relies on contributing countries to report allegations.
NEW INITIATIVES	The UN Secretary General released his report (A/72/751) on the latest measures to implement his four-pronged strategy to improve the UN's system-wide response to sexual exploitation and abuse (A/71/818) announced in early 2017.		
LINKS FOR ADDITIONAL INFORMATION	https://conduct.unmissions.org/	http://www.osce.org/what/trafficking	http://www.nato.int/cps/en/natolive/topics_50315.htm

MULTILATERAL ORGANIZATIONS COMBATING TRAFFICKING IN PERSONS

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
United Nations (UN) www.un.org **United Nations Office on Drugs and Crime (UNODC):** www.unodc.org Human Trafficking Knowledge Portal: https://www.unodc.org/cld/en/v3/htms/index.html UNODC Evidential Issues in Trafficking in Persons Cases: Case Digest http://www.unodc.org/documents/human-trafficking/2017/Case_Digest_Evidential_Issues_in_Trafficking.pdf Assessment Toolkit: Trafficking in Persons for the Purpose of Organ Removal (2015): https://www.unodc.org/documents/human-trafficking/2015/UNODC_Assessment_Toolkit_TIP_for_the_Purpose_of_Organ_Removal.pdf Case Digest on Evidential Issues on Trafficking in Persons Cases (2017): https://www.unodc.org/documents/human-trafficking/2017/Case_Digest_Evidential_Issues_in_Trafficking.pdf **United Nations Security Council (UNSC):** -https://www.un.org/press/en/2017/sc13081.doc.htm -https://www.un.org/press/en/2016/sc12647.doc.htm -https://www.un.org/press/en/2015/sc12165.doc.htm **United Nations Office of the High Commissioner on Human Rights :** www.ohchr.org **International Labour Organization (ILO) :** www.ilo.org http://www.alliance87.org/ http://www.ilo.org/sapfl/Informationresources/ILOPublications/Byregion/Global/lang--en/index.htm	**UN Convention and Protocol:** Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (A/RES/55/25) (2000) United Nations Global Plan of Action to Combat Trafficking in Persons (A/RES/64/293) (2010) https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/293	Special Rapporteur on Trafficking in Persons, Especially Women and Children Special Rapporteur on Contemporary Forms of Slavery Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography
African Union (AU) www.africa-union.org/	Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006) http://ec.europa.eu/development/body/tmp_docs/2006/Action_plan_OUAGADOUGOU.pdf AU Commission Initiative against Trafficking Campaign (AU.COMMIT)	N/A
Khartoum Process (EU/Horn of Africa Migration Route Initiative)	Khartoum Declaration on AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants Declaration of the Ministerial Conference of the Khartoum Process (2014) Valletta Summit Action Plan (2015) Valletta Summit Political Declaration (2015) EU-Africa Action Plan on Migration and Mobility (2014-2017)	
Association of Southeast Asian Nations (ASEAN) www.asean.org **ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and the ASEAN Plan of Action** http://asean.org/asean-convention-against-trafficking-in-persons-especially-women-and-children/ http://www.asean.org/storage/2015/12/APA-FINAL.pdf	ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children (2004) ASEAN Convention Against Trafficking in Persons, Especially Women and Children (2015) ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (2015) http://asean.org/storage/2012/05/APA-FINAL.pdf	ASEAN Senior Officials Meeting on Transnational Crime

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
Bali Regional Ministerial Conference On People Smuggling, Trafficking In Persons And Related Transnational Crime (Bali Process) www.baliprocess.net Bali Process Policy Guides, Handbooks and Guides for first responders and officials: http://www.baliprocess.net/regional-support-office/resources/ Policy Guides on Identification and Protection of Victims of Trafficking (2015): http://www.baliprocess.net/regional-support-office/policy-guides-on-identification-and-protection-of-victims-of-trafficking/ Policy Guides on Criminalizing Migrant Smuggling and Trafficking in Persons (2014): http://www.baliprocess.net/regional-support-office/policy-guides/	Co Chairs' Statements of the first (2002), second (2003), third (2009), fourth (2011), fifth (2013), and sixth (2016) Bali Regional Ministerial Conference On People Smuggling, Trafficking In Persons And Related Transnational Crime Bali Process Working Group on Trafficking in Persons - Updated Forward Work Plan: 2015-17 https://www.baliprocess.net/UserFiles/baliprocess/File/Updated%20-%20Bali%20Process%20TIP%20Working%20Group%20Forward%20Work%20Plan%202015-17%20(1)(1).pdf	Bali Process Working Group on Trafficking in Persons
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Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) http://un-act.org/ Victim Identification and Referral Mechanisms: Common Guidelines for the Greater Mekong Sub-region: http://un-act.org/wp-content/uploads/2017/02/COMMIT_-Guidelines_on_Victim_ID__Referrals.pdf Supporting the Reintegration of Trafficked Persons: A Guidebook for the Greater Mekong Sub-Region: http://un-act.org/wp-content/uploads/2017/04/Final-Reintegration-Guidebook-3.pdf	COMMIT Memorandum of Understanding on Cooperation Against Trafficking in Greater Mekong Sub-Region (2004) COMMIT 3rd Sub-Regional Plan of Action (COMMIT SPAIII, 2011-2013)	United Nations Action for Cooperation against Trafficking in Persons Regional COMMIT Task Force (TF)
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Council of Europe (COE) www.coe.int http://www.coe.int/t/dghl/monitoring/trafficking/ HELP Online Training Course: https://www.coe.int/en/web/anti-human-trafficking/help-online-training-course	COE Convention on Action Against Trafficking in Human Beings (2005)	Group of Experts on Action Against Trafficking in Human Beings (GRETA)
Economic Community of West African States (ECOWAS) www.ecowas.int **Economic Community of Central African States (ECCAS)** www.ceeac-eccas.org/	ECOWAS Initial Plan of Action against Trafficking in Persons (2002-2003), extended until 2011 https://issafrica.org/acpst/uploads/Reading%20material-ECOWAS%20PoA%20CT.pdf Joint ECOWAS/ECCAS Regional Plan of Action to Combat Trafficking in Persons, especially Women and Children (2006-2008)	Anti-Trafficking Unit
European Union (EU) http://ec.europa.eu/anti-trafficking/index.action	EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016) https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf	European Union Anti-Trafficking Coordinator

ORGANIZATIONS AND SELECTED LINKS OF INTEREST	FRAMEWORK DOCUMENT RELEVANT TO TIP	TIP FOCAL POINT
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Organization for Security and Cooperation in Europe (OSCE) http://www.osce.org/secretariat/trafficking Handbook - How to prevent human trafficking for domestic servitude in diplomatic households and protect private domestic workers (2014): http://www.osce.org/handbook/domesticservitude OSCE Alliance against Trafficking in Persons: http://www.osce.org/secretariat/107221	OSCE Action Plan to Combat Trafficking in Human Beings (2003) https://www.osce.org/actionplan?download=true Platform for Action Against Human Trafficking (2007) Decision No. 1107 Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, Decision No. 1107, 6 December (2013) OSCE Parliament Assembly Resolution on Responsibility To Combat Human Trafficking in Government Contracts For Goods And Services (2015)	Special Representative and Coordinator for Trafficking in Human Beings
Regional Conference on Migration (RCM) (Puebla Group) www.rcmvs.org Regional Guidelines for Special Protection in Cases of the Repatriation of Child Victims of Trafficking (2007): http://www.rcmvs.org/Publicaciones/Publicaciones.htm	Regional Conference on Migration Plan of Action (updated in 2009)	The Liaison Officers Network to Combat Migrant Smuggling and Trafficking in Persons
Southern African Development Community (SADC) www.sadc.int/ Preventing and Combating Trafficking in Persons: Lessons from the SADC Region Booklet (2017): https://www.sadc.int/issues/gender/sadc-gender-and-development-monitor-2016/preventing-and-combating-trafficking-persons-lessons-sadc-region/	SADC Strategic Plan of Action on Combating Trafficking in Persons, especially women and Children (2009-2019)	N/A
South Asian Association for Regional Cooperation (SAARC) www.saarc-sec.org/ SAARC Convention on Preventing And Combating Trafficking in Women and Children for Prostitution: http://saarc-sec.org/digital_library/detail_menu/saarc-convention-on-preventing-and-combating-trafficking-in-women-and-children-for-prostitution	SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002)	Regional Task Force

GLOSSARY OF ABBREVIATIONS

ASEAN	Association of Southeast Asian Nations
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EU	European Union
EUROPOL	European Union Agency for Law Enforcement Cooperation
GRETA	Council of Europe's Group of Experts on Action against Trafficking in Human Beings
IDP	Internally displaced person
ILO	International Labour Organization
ILO-IPEC	International Labour Organization, International Program for the Elimination of Child Labour
INTERPOL	International Criminal Police Organization
IOM	International Organization for Migration
ISIS	Islamic State of Iraq and Syria
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
NGO	Nongovernmental organization
OAS	Organization of American States
OSCE	Organization for Security and Co-operation in Europe
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UN WOMEN	United Nations Entity for Gender Equality and the Empowerment of Women
2000 UN TIP PROTOCOL (PALERMO PROTOCOL)	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

NOTES: Local currencies have been converted to U.S. dollars ($) using the currency exchange rates reported by the U.S. Department of the Treasury on December 31, 2017. The rates can be found here: https://www.fiscal.treasury.gov/fsreports/rpt/treasRptRateExch/itin-12-31-17.pdf

PHOTO CREDITS

Inside Front Cover: 2017 Misty Keasler for Winrock International

Page iii: 2017 Misty Keasler for Winrock International

Page v: Karen Kasmauski

Table of Contents: Simon Buxton/Anti-Slavery International

Page 2: Lauren DeCicca

Page 5: AP/ Anurup Titu

Page 6: Francesca Commissari for the Guardian

Page 8: Audrey Guichon/Freedom Fund

Page 10: AP Photo/Hasan Jamali

Page 11: AP Photo/Kamran Jebreili

Page 13: Top: REUTERS/Tom Esslemont
Bottom: 2017 Misty Keasler for Winrock International

Page 14: Jane Sigmon

Page 15: Design Pics Inc/National Geographic Creative

Page 16-17: Jodi Cobb

Page 19: Thai NGO

Page 21: Left: Albert Moldvay
Right: Steve Winter

Page 23: AP Photo/Denis Farrell

Page 25: Top: AP Photo/Dita Alangkara
Middle: Jane Sigmon
Bottom: Thai NGO

Page 27: Polaris/Matthew Cassel

Page 32-33: AP Photo/Santi Palacios

Page 34: REUTERS/Stringer

Page 35: REUTERS/Finbarr O'Reilly

Page 36-37: Pete Pattisson

Page 38: Paula Bronstein

Page 40: Michael Hylton/Anti-Slavery International

Page 42: Left: UNHCR/Reynesson Damasceno
Right: James L. Stanfield

Page 46: Thai NGO

Page 52-53: Michael Hanson

Page 61: AP Photo/Thibault Camus

Page 63: Marcel Crozet

Page 476: Brett Lewin

Inside Back Cover: Challenging Heights/Beauty for Freedom

A CLOSING NOTE

In this age of interconnected markets, mobile workforces, and digital communication, human traffickers are developing newer and more sophisticated ways to exploit their victims. Traffickers are particularly skilled at identifying and cultivating vulnerability in those they exploit, taking advantage of difficult circumstances and instability, and exploiting government policies and activities in unexpected ways. No matter how effective national policies are in fulfilling their intended goals, governments should continuously examine and test their policies to ensure they do not enable traffickers or otherwise contribute to human trafficking.

For example, governments around the world spend billions of dollars to procure goods and services. Unfortunately, procurement policies can be blind to conditions that workers in the supply chain face, including those that may be indicative of human trafficking, such as contract fraud, unpaid wages, and passport confiscation. Governments should assess their procurement frameworks; bring together procurement, human trafficking, and labor rights experts; and implement policies that protect workers on government contracts. Governments should also enact policies that clearly prohibit human trafficking by government contractors and subcontractors, and prohibit activities, including those in the recruitment process, known to contribute to the risk of human trafficking, such as charging workers recruitment fees that create vulnerabilities to debt bondage.

Similarly, many governments prohibit labor migration to countries that pose particular risks as a means to protect their citizens from exploitation. While well intended, such policies not only restrict freedom of movement, but may also drive some individuals to take risks to circumvent the policy. More effective alternatives to prohibiting labor migration to countries include educating citizens of their rights and the specific risks posed in such destination countries; working with governments in destination countries to address vulnerabilities to exploitation and conduct joint investigations of abuse; and providing overseas officials the mandate and tools required to serve and protect their citizens abroad.

Some governments' pursuit of national security and regional stability may also indirectly enable human trafficking. At times, government support for and operational coordination with armed services and groups can unintentionally empower them to exploit people through forcible recruitment into armed groups, recruitment and use of children, or sexual exploitation. Governments that support militaries and armed groups should ensure they understand the full scope of such organizations' activities and how they put government resources to action. Governments should encourage the public to report abuses, establish transparent processes by which to review accusations, and take appropriate action including to hold perpetrators accountable and ultimately to end support and coordination with such groups.

These are only a few examples of how some government policies, even if made with good intentions, can leave individuals more vulnerable and give traffickers an advantage. It is incumbent on governments to assess and adapt to the specific dynamics of human trafficking. In enacting new policies and reviewing existing ones, governments should strive to understand the inadvertent yet potentially harmful effects they may have on individuals vulnerable to trafficking.

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Winneba, a town on the coast of Ghana, is one of the main source communities for trafficking in the fishing industry. In 2017, Challenging Heights and Beauty for Freedom worked with local youth and provided them an opportunity to show another side of their community. The children participated in a variety of art workshops, empowering them to envision a vibrant and resilient community.

challengingheights.org | beautyforfreedom.org

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